Planning Board Member Information

DATES TO REMEMBER:

- January 11, 2018 - 4:30 P.M. Public Hearing
- January 22, 2018 - 8:15 A.M. Sign Check
- January 25, 2018 - 4:30 P.M. Work Session

- February 8, 2018 - 4:30 P.M. Public Hearing
- February 19, 2018 - 8:15 A.M. Sign Check
- February 22, 2018 - 4:30 P.M. Work Session
Rules and Procedures

• Persons supporting the zoning request have up to 12 minutes total.
• Persons opposing the rezoning request have up to 12 minutes total.
• There are no rebuttals.
• During the work session, no one is permitted to speak unless the Planning Board asks them a specific question.
• For general use zoning requests, the Planning Board must consider the full range of uses allowed in the zoning district being requested. The petitioner may not refer to a specific intended use of the property.
• For special use district zoning requests, the petitioner must identify the intended use or uses of the site and give specific details on how the site will be developed.
• Most requests listed under agenda item “B” require final action by an elected body (the City Council for cases within the City of Winston-Salem zoning jurisdiction and the Board of Commissioners for cases within Forsyth County zoning jurisdiction). As such, votes taken by the Planning Board concerning these items are recommendations which are considered by the elected bodies during their review of the requests.

Please Turn Off All Cell Phones and Two-Way Communication Devices.

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Planning Department are encouraged to contact the Department at least 72 hours in advance so that proper accommodations can be arranged. For information, call 336-747-7069 (727-8319 TTY).
CALL TO ORDER

PLEDGE OF ALLEGIANCE

A. ACTION ON MINUTES

   • December 14, 2017 Public Hearing
   • December 22, 2017 Sign Check

B. PUBLIC HEARING ITEMS

1. Zoning petition of Crown Union Cross LLC, Charles Willard, Ina Stevens, and Oneita Tucker from AG to GB-S (Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Building Materials Supply; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Combined Use; Food or Drug Store; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Hotel or Motel; Institutional Vocational Training Facility; Library, Public; Manufacturing A; Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Nursing Care Institution; Offices; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Shopping Center; Shopping Center, Small; Special Events Center; Storage Services, Retail; Swimming Pool, Private; Theater, Indoor; Utilities; Veterinary Services; Wholesale Trade A; Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Family Group Home B; Family Group Home C; Group Care Facility A; Group Care Facility B; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; School, Private; School, Public; and Access Easement, Private Off-Site) TWO PHASE and Special Intense Development Allocation (SIDA): property is located on the east side of Union Cross Road across from Glenn Hi Road (Zoning Docket F-1571).
This is automatically withdrawn per the applicant's request and as per Planning Board's By-Laws.

2. Zoning petition of Angus Ridge Homeowners Association, LLC from RM8-S to RS20-L (Residential Building, Single Family): property is located on the north side of Old Salem Road, between Angus Ridge Drive and Chevoit Drive (Zoning Docket F-1572).

   a. Zoning Recommendation.

3. Zoning petition of Shirley Hester from AG to RS30-S (Residential Building, Single Family): property is located on the southwest side of Goodwill Church Road, west of Piney Grove Road (Zoning Docket F-1573).

   a. Zoning Recommendation.
   b. Site Plan Recommendation.

4. An ordinance amendment proposed by Planning and Development Services staff revising Chapter B of the Unified Development Ordinances to establish building material requirements for the use Retail Store (UDO-284).

   This is automatically continued to February 8, 2018 per the applicant's request and as per Planning Board's By-Laws.

5. An ordinance amendment proposed by Planning and Development Services staff at the request of the City Council Community Development/Housing/General Government Committee to amend the Secondary Dwelling regulations to allow previously approved Special Use Permits to be heard by the Zoning Board of Adjustment (UDO-285).

   a. Text Amendment Recommendation.

C. PRELIMINARY SUBDIVISION APPROVALS

1. #2017079: D. Stone Builders, Inc. (Bartram Place); west side of Bartram Place, north of Coliseum Drive; Seven lot single family subdivision in RS20 zoning; 5.1 acres.

D. STAFF REPORT

E. FOR THE GOOD OF THE ORDER
RESULTS OF CITY COUNCIL AND BOARD OF COMMISSIONERS HEARINGS REGARDING PLANNING MATTERS

The City Council and the Board of Commissioners made the following decisions on Planning Board matters:

WINSTON-Salem CITY COUNCIL

1. Zoning petition of Clarthria Wherry from RM12-S to IP-L (Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Child Day Care Center; Child Care, Drop-In; Child Care Institution; School, Private; and Adult Day Care Center): property is located on the southwest corner of Bethabara Road and Speas Road; (Zoning Docket W-3354)

APPROVED.

Planning Board and staff recommended approval of the amendment.

2. Zoning petition of YWCA of Winston-Salem & Forsyth County from RS7 to RM18-L (Residential Building, Single Family; Family Group Home A; and Family Group Home B): property is located on the northeast corner of Granville Drive and West Street; (Zoning Docket W-3355)

APPROVED.

Planning Board and staff recommended approval of the amendment. City Council approved with the added condition for reversion to RS7 if Family Group Home B vacated for over one year.

3. Zoning petition of Old Salem Inc., Carol Faley, We Buy Houses of the Triad, LLC, and Stephen Foster from LI to PB-L (Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Child Care, Drop in; Child Day Care, Small home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Combined Use; Food or Drug Store; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Institutional Vocational Training Facility; Library, Public; Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Museum or Art Gallery; Nursing Care Institution; Offices; Park and Shuttle Lot; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Restaurant Without Drive Through Service; Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center, Small; Swimming Pool, Private; Testing and Research Lab; Theater, Indoor; Urban Agriculture; Utilities; Veterinary Services; Warehousing; Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; School, Public; School, Private; and Access Easement, Private Off-Site):
property is located on the east side of Broad Street, the west side of Poplar Street, and the south side of Walnut Street; (Zoning Docket W-3356)

APPROVED.

Planning Board and staff recommended approval of the amendment.

4. Special Use Permit of Twin City Bible Church for a Transmission Tower in a RS9 zoning district: property is located on the east side of Ebert Street, across from Boone Avenue; (Zoning Docket W-3347)

APPROVED.

Planning Board and staff certified that the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

FORSYTH COUNTY BOARD OF COMMISSIONERS

1. Northeast Suburban Area Plan Update.

APPROVED.

Planning Board and staff recommended adoption of the proposed Northeast Suburban Area Plan Update.
MEMBERS PRESENT: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Brenda Smith, Allan Younger
MEMBER ABSENT: Tommy Hicks
PRESIDING: Arnold King

CALL TO ORDER

PLEDGE OF ALLEGIANCE

A. ACTION ON MINUTES

- November 9, 2017 Public Hearing
- November 27, 2017 Sign Check

MOTION: Clarence Lambe moved approval of the minutes.
SECOND: Allan Younger
VOTE:
FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Brenda Smith, Allan Younger
AGAINST: None
EXCUSED: None

B. PUBLIC HEARING ITEMS

The actual order of cases considered by the Planning Board on October 12, 2017 is determined procedurally by taking consent agenda cases first, then cases for which there was a public hearing. Accordingly, the order of cases on December 14, 2017 was: B.1., B.2., B.3., B.4, B.6., C.1., C.2., and B.5.

1. Zoning petition of Crown Union Cross LLC, Charles Willard, Ina Stevens, and Oneita Tucker from AG to GB-S (Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Building Materials Supply; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Combined Use; Food or Drug Store; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post
Office; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Hotel or Motel; Institutional Vocational Training Facility; Library, Public; Manufacturing A; Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Nursing Care Institution; Offices; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Shopping Center; Shopping Center, Small; Special Events Center; Storage Services, Retail; Swimming Pool, Private; Theater, Indoor; Utilities; Veterinary Services; Wholesale Trade A; Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Family Group Home B; Family Group Home C; Group Care Facility A; Group Care Facility B; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; School, Private; School, Public; and Access Easement, Private Off-Site) TWO PHASE and Special Intense Development Allocation (SIDA): property is located on the east side of Union Cross Road across from Glenn Hi Road; (Zoning Docket F-1571).

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2. Zoning petition of Clarthria Wherry from RM12-S to IP-L (Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Child Day Care Center; Child Care, Drop-In; Child Care Institution; School, Private; and Adult Day Care Center): property is located on the southwest corner of Bethabara Road and Speas Road; (Zoning Docket W-3354).

Aaron King presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning petition.
SECOND: Allan Younger
VOTE:
 FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Brenda Smith, Allan Younger
 AGAINST: None
 EXCUSED: None
3. Zoning petition of YWCA of Winston-Salem & Forsyth County from RS7 to RM18-L (Residential Building, Single Family; Family Group Home A; and Family Group Home B): property is located on the northeast corner of Granville Drive and West Street; (Zoning Docket W-3355).

Aaron King presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Jason Grubbs moved approval of the zoning petition.
SECOND: Clarence Lambe

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Brenda Smith, Allan Younger
AGAINST: None
EXCUSED: None

4. Zoning petition of Old Salem Inc., Carol Faley, We Buy Houses of the Triad, LLC, and Stephen Foster from LI to PB-L (Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Child Care, Drop in; Child Day Care, Small home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Combined Use; Food or Drug Store; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Institutional Vocational Training Facility; Library, Public; Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Museum or Art Gallery; Nursing Care Institution; Offices; Park and Shuttle Lot; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Restaurant Without Drive Through Service; Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center, Small; Swimming Pool, Private; Testing and Research Lab; Theater, Indoor; Urban Agriculture; Utilities; Veterinary Services; Warehousing; Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; School, Public; School, Private; and Access Easement, Private Off-Site): property is located on the east side of Broad Street, the west side of Poplar Street, and the south side of Walnut Street; (Zoning Docket W-3356).

Aaron King presented the staff report.
PUBLIC HEARING

FOR:  None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning petition.
SECOND: George Bryan
VOTE:
   FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Brenda Smith, Allan Younger
   AGAINST: None
   EXCUSED: None

5. An ordinance amendment proposed by Planning and Development Services staff revising Chapter B of the Unified Development Ordinances to allow Residential Building, Townhouse and Residential Building, Multifamily in the HB and GO zoning districts, and to remove the uses Residential Building, Duplex and Residential Building, Twin Home from the GB zoning district (UDO-283). Continued from the October 12, 2017 Planning Board meeting.

Kelly Bennett presented the staff report.

Paul Norby pointed out that even though there was a public hearing on this in October, because the Board continued it and we made a change in what was proposed from the October 12, 2017 version, I would recommend holding a full public hearing again. I would like to add a few comments to what Kelly Bennett was saying.

- The need to find some ways to encourage multifamily in areas other than in the middle of neighborhoods came up during the Legacy 2030 Comprehensive Plan process.
- Due to our small geographic size, if we’re going to be ready for growth that could happen over the next 20/30 years we’ve got to make the wisest use of land that makes the most sense for different types of intensities of uses.
- Our population is diversifying. Not only by age and race but the household as well. We’re having more single person households, single parent households, baby boomers and millennials who have different housing preferences now than 20 years ago. All of those trend toward a stronger market for multifamily. So where do you put those?
- Legacy suggested focusing on activity centers, the downtown area and growth corridors.
- Those areas make the most sense to have the most land use intensity and to start mixing uses more including residential.
- We have 35 different zoning districts in our ordinance and if you take the idea that you want every change of use to be a rezoning, theoretically you would have to have 157 different zoning districts so every time there is a change of use you would change from one zone to another.
- Among our peer cities in North Carolina, we have the second highest number of zoning districts that there are with Charlotte having slightly more than us. All of our other peer cities have less zoning districts than we do and all of those except for Cary allow for a
multifamily residential in their commercial zoning districts. Greensboro, Raleigh, Charlotte, Durham and Chapel Hill allow multifamily in commercial districts.

PUBLIC HEARING

FOR:

Gary Merritt, 750 Bethesda Road, Winston-Salem, NC 27104
- I am a board member of the North Carolina Housing Foundation. The North Carolina Housing Foundation has been around since 1968. We own about 17 or 18 properties in the City and County and we provide housing for the elderly and families. What is being recommended to you today is something that used to not work. If you go around the country and look at the development trends, you would see retail stores with multifamily above it. This is putting us in the 21st century and I and the Foundation support this.

John Lowder, 2001 Williamsburg Manor Ct, Winston-Salem, NC 27103
- I am the Executive Director of the Piedmont Triad Apartment Association. I am here to speak in favor of the staff’s suggestions. Our Association represents the entire Piedmont Triad and that is about 65,000 apartment units throughout the Triad, of which 20,000 units are here in Forsyth County. My main point today is that affordable housing has to be addressed by all types of housing. If you don’t have enough market rate housing then all rents will go up. I think the staff has done an admirable job in research and outreach. I think you would be hard-pressed to find a better zoning addition than this one. On behalf of our members, we strongly support this.

Jack Steelman, 2150 Country Club Road, Winston-Salem, NC 27104
- I’m with Miller Hatcher real estate. In the City of Arts and Innovation, innovation begins and ends with progressive public policy. I live in the Pfafftown area and right down the street from me is a new shopping center with office spaces and apartments. On the way home at night, stopping by the shopping center is delightful to see the young people walking out of their apartments into the stores and the restaurants. I fully support the proposed amendment and I also respect the concerns of neighborhood residents and would encourage them to trust in the skills and expertise that are on this Planning Board and this Planning staff as they are required to review every site plan for multifamily development in this area.

Paul McGill, 1204 Reynolda Road, Winston-Salem, NC 27104
- I am the chairman of the RCA (Realty Commercial Alliance). I’m also on the Board of Directors of the Winston-Salem Realtors Association. We do support this and think it is needed because it gives us more flexibility in the use of these pieces that are still there being redeveloped. Everyone should have a letter from us in support of this.

AGAINST:

Sally Hirsh, 1831 Brantley Street, Winston-Salem, NC 27103
- I’m against UDO-283. This UDO will take the freedom of speech away from me and people that live in neighborhoods. Some of the low income people who live in the Peters Creek area are going to be displaced and lose connection to their community.
Eric Bushnell, 2113 Walker Road, Winston-Salem, NC 27106
• I represent the Neighborhood Alliance. The Neighborhood Alliance cannot support this as a standalone policy. In order for this to work for everyone, we believe this has to be tied in to other city policies about housing.

Carolyn Highsmith, 3335 Anderson Drive, Winston-Salem, NC 27127
• I’m here on behalf of the New South Community Coalition representing the neighborhood areas of south Winston-Salem. UDO-283 is proposing a massive rezoning of Highway Business and General Office properties throughout the city with only a Planning Board Review, effectively silencing citizen voices blocking any citizen’s participation in this massive rezoning of citywide properties. Without citizen input in any new mixed use development proposal, there can be unforeseen and destructive consequences to nearby single family home neighborhoods. The New South Community Coalition urges the Planning Board to reject UDO-283 as currently written.

JoAnne Allen, PO Box 284, Winston-Salem, NC 27102
• I’m the president of Action4Now, Inc. I’m here to say that the proponent’s bottom line is money. There has been no community outreach. I’m all about progress but let’s not do it at the expense of gentrification. As Planning Board members, you were appointed by both the elected bodies to represent the people.

WORK SESSION

The following points were made by the Planning Board members:
• I think we are projecting only the negative concerning gentrification, but that’s not the only possibility. Someone has to put the investment into these properties. I think this could be a win-win situation. There are wonderful possibilities such as affordable housing and mixed use. For example, you may have people that cannot afford to have a car but can live somewhere that they have services. So there is a lot more potential other than just gentrification in this situation.
• We are not just giving developers carte blanche to do whatever they want. There is a process that we go through. On some level you have to trust the Planning Staff and the Planning Board.
• I totally agree that Legacy is trying to increase infill. The idea is good to have this development in that place but I have heard conversations from people who want to see this happen but maybe this is not the way to do it. When we talk about affordable housing, housing has not been affordable to people that have been displaced in some of these neighborhoods.
• I have struggled with this ordinance because I agree with the goals that have been laid out. However I do see this as problematic because I think that this is using a very broad brush to get to the goal you are trying to accomplish. Not all of these HB properties are on growth corridors. There are a few sprinkled in and some of those were the smaller properties you eliminated through the one acre threshold.
• We are not trying to insert permitted uses that are more intense than what is already there. I’m having a hard time understanding what is meant by gentrification because you are not displacing anyone when there is no one living in HB and GO now.
• I’m not against multifamily and I’m not against development but we cannot continue to overlook what neighborhoods are saying and how people are feeling.
MOTION: Jason Grubbs moved approval of the amendment.
SECOND: Clarence Lambe
VOTE:
 FOR: Jason Grubbs, Arnold King, Clarence Lambe, Brenda Smith
 AGAINST: George Bryan, Melynda Dunigan, Chris Leak, Allan Younger
 EXCUSED: None

6. An ordinance amendment proposed by Planning and Development Services staff revising Chapter B of the *Unified Development Ordinances* to establish building material requirements for the use Retail Store (UDO-284).

   *This is automatically continued to January 11, 2018 per the applicant's request and as per Planning Board's By-Laws.*

C. PLANNING BOARD REVIEWS

1. PBR 2017-13; Villas at Jefferson Ridge; north side of Coravan Drive, west of Norman Road; Planned Residential Development; City; 7.04 acres.

Aaron King presented the staff report.

A board member asked, if there will be a stormwater pond?

Aden Stoltzfus, 1009 Lisa Run Drive, Kernersville, NC 27284
   • Aden Stoltzfus stated that in working with the preliminary design, we do not have all of the stormwater facilities designed out yet but we do have a spot for the stormwater bmp whether it be a dry pond or a depressed well.

MOTION: Clarence Lambe moved approval of the zoning petition with the revised conditions.
SECOND: Allan Younger
VOTE:
 FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Brenda Smith, Allan Younger
 AGAINST: None
 EXCUSED: None

2. PBR 2017-14; Ash Grove; west side of Harper Road, south of Styers Ferry Road; Planned Residential Development; County; 13.11 acres.

Aaron King presented the staff report.

MOTION: Clarence Lambe moved approval of the zoning petition.
SECOND: Jason Grubbs
VOTE:
 FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Brenda Smith, Allan Younger
 AGAINST: None
 EXCUSED: None
D. STAFF REPORT

Paul Norby presented the staff report.

We will do sign check at 8:15am on December 22, 2017.

We have two county cases and zero city cases for the January 11, 2018 Planning Board meeting. We will have UDO-284 coming back. There’s a new text amendment UDO-285 coming to you at the request of City Council. It is an amendment to the accessory dwelling unit changes that were made in September to deal with an unintended consequence of that amendment – how to handle previously approved Special Use Permit approvals by the Board of Adjustment for accessory dwellings that had renewal requirements.

E. FOR THE GOOD OF THE ORDER
Member Present:       Melynda Dunigan

The board member met at the Planning Board Offices at the Bryce Stuart Municipal Building and then visited each of the sites scheduled for public hearing at the January 11, 2018 Planning Board meeting.

No action taken.
DOCKET #: F1571
(Continued from 12/14/2017)

PROPOSED ZONING:
GB-S and SIDA

EXISTING ZONING:
AG

PETITIONER:
Crown Union Cross LLC, Charles Willard, Ina Stevens, and Oneita Tucker

SCALE: 1" represents 500'

STAFF: Roberts

GMA: 3

ACRES: 9.15

NEAREST BLDG: 90' north

MAP(S): 6874.01

Property included in zoning request.

500' mail notification radius. Property not in zoning request.
ZONING STAFF REPORT

DOCKET:   F-1571
STAFF:    Gary Roberts, Jr. AICP

Petitioner(s):  Crown Union Cross LLC, Charles Willard, Ina Stevens, and Oneita Tucker
Ownership:     Same

REQUEST

From:   AG
To:     GB-S Two Phase and Special Intense Development Allocation (SIDA)

Acreage: ± 9.15

LOCATION:

Street:  East side of Union Cross Road across from Glenn Hi Road
Jurisdiction: Forsyth County

AUTOMATIC WITHDRAWAL:

Because this request was received prior to 5pm on Monday January 8, 2018, this case is automatically withdrawn.
PROPOSED ZONING: RS20-L
EXISTING ZONING: RM8-S

STAFF: Roberts
GMA: 3
ACRES: 8.44

DOCKET #: F1572

PETITIONER: Angus Ridge Homeowners Association LLC

MAP(S): 6884.01, 6885.03

SCALE: 1" represents 500'

Property included in zoning request.
500' mail notification radius. Property not in zoning request.
CITY-COUNTY PLANNING BOARD  
DRAFT STAFF REPORT

PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>F-1572</th>
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<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Angus Ridge Homeowners Association, Inc.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Portion of PIN # 6885-10-7201</td>
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<tr>
<td>Address</td>
<td>The site does not currently have an address assignment.</td>
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<tr>
<td>Type of Request</td>
<td>Special use limited no site plan rezoning from RM8-S to RS20-L</td>
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| Proposal    | The petitioner is requesting to amend the Official Zoning Maps for the subject property from RM8-S (Residential, Multifamily – 8 units per acre maximum density – special use zoning – Residential Building, Twin Home; Residential Building, Townhouse; and Residential Building, Multifamily) to RS20-L (Residential, Single Family – 20,000 sf minimum lot size – special use limited no site plan). The petitioner is requesting the following uses:  
  • Residential Building, Single Family |

**NOTE:** General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.

Neighborhood Contact/Meeting | See Attachment A for a summary of the petitioner’s neighborhood outreach efforts. |

Zoning District Purpose Statement | The RS20 District is primarily intended to accommodate single family detached dwellings in suburban areas and may also be applicable to older, large lot development constructed prior to the effective date of this Ordinance. The district is established to promote orderly development in areas where public water is available. This district is intended for application in GMAs 2, 3 and 4. |

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | **(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?**  
Yes, the subject property is located within a suburban setting and has access to public water and sewer. In addition, the proposed use is Residential Building, Single Family and the site is adjacent to RS20 zoned properties to the west. |

GENERAL SITE INFORMATION

<p>| Location | North side of Old Salem Road, between Angus Ridge Drive and Chevoit Drive |
| Jurisdiction | Forsyth County |
| Site Acreage | ± 8.44 acres |
| Current Land Use | The site is currently undeveloped. |
| Surrounding Property Zoning and Use |<br />
| Direction | Zoning District | Use |
| North | RS20 &amp; IP | I-40 |
| East | RM8-S | Townhomes |</p>
<table>
<thead>
<tr>
<th>South</th>
<th>RS30 &amp; TND-S</th>
<th>Undeveloped property</th>
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<tbody>
<tr>
<td>West</td>
<td>RS20</td>
<td>Single family homes and undeveloped property</td>
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**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)**

(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes, the use of Residential Building, Single Family is compatible with the residential uses permitted on the adjacent properties.

**Physical Characteristics**

The eastern edge of the site abuts Abbotts Creek. With the exception of an area within the north central portion of the subject property, the site is located entirely within the Abbotts Creek floodplain.

The National Wetlands Inventory shows a small wetland in the southern portion of the property.

**Proximity to Water and Sewer**

The site has access to public water and sewer service.

**Stormwater/Drainage**

The entire site drains into Abbotts Creek.

**Watershed and Overlay Districts**

The site is located within the balance area of the Abbotts Creek WS III Water Supply Watershed. The built-upon area within the balance area is limited to 24% unless a Special Intense Development Allocation (SIDA) is granted by the County Commissioners.

**Analysis of General Site Information**

The site is undeveloped and a majority of it is located within the regulatory floodplain of Abbotts Creek. Also, as noted above, the site is located within the Abbotts Creek watershed where the maximum impervious coverage is 24%. Staff notes that the remainder of the adjacent RM8-S zoned development located directly to the east, does not need the open space of the subject property to comply with the impervious coverage requirements of the Unified Development Ordinances.

**RELEVANT ZONING HISTORIES**

<table>
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<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>37.36</td>
<td>Approval</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Included the current site</td>
<td></td>
<td></td>
<td>Approval</td>
</tr>
</tbody>
</table>

**SITE ACCESS AND TRANSPORTATION INFORMATION**

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Old Salem Road</td>
<td>Major Thoroughfare</td>
<td>36’</td>
<td>4,100</td>
<td>13,800</td>
</tr>
<tr>
<td>Wilchester Lane</td>
<td>Local Street</td>
<td>60’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Proposed Access Point(s)</td>
<td></td>
<td></td>
<td></td>
<td>The petitioner has volunteered a condition that the access to the site will be from Wilchester Lane.</td>
</tr>
</tbody>
</table>
# Planned Road Improvements

For Old Salem Road, the *Comprehensive Transportation Plan* recommends a four lane section with a divided median, wide outside lanes, and sidewalks on both sides.

## Trip Generation - Existing/Proposed

**Existing Zoning:** RM8-S

The approved site plan does not include any structures proposed on the subject property.

**Proposed Zoning:** RS20-L

1 lot x 9.57 (SFR Trip Rate) = 10 Trips per Day

## Sidewalks

The Angus Ridge development located directly to the east across Abbotts Creek, includes walking paths within the common area.

## Transit

Not available.

## Analysis of Site Access and Transportation Information

The subject property has limited frontage on Old Salem Road at the culvert of Abbotts Creek. The petitioner has volunteered a condition that the site will be accessed from Wilchester Lane which is maintained by the Town of Kernersville. The petitioner has also carried forward an approved condition for the recordation of a greenway easement along Abbotts Creek and for an easement which would connect Wilchester Lane to said future greenway.

## CONFORMITY TO PLANS AND PLANNING ISSUES

### Legacy 2030 Growth Management Area

- Growth Management Area 3 - Suburban Neighborhoods

### Relevant Legacy 2030 Recommendations

- Encourage a mixture of residential densities and housing types through land use recommendations.

### Relevant Area Plan(s)

*Southeast Forsyth County Area Plan Update (2014)*

### Area Plan Recommendations

- The subject property is recommended for mixed use development as it is located within the NC 66 / Old Salem Road Activity Center.
- Any portion of this activity center within Forsyth County’s zoning and subdivision jurisdiction will have future development requests coordinated with the Town of Kernersville for compliance with its planning objectives since the town surrounds most of the county-controlled lands within the activity center.
- Clustering of lots in new subdivisions to protect environmentally-sensitive areas, preserve additional open space, and reduce street and infrastructure costs is encouraged.

### Site Located Along Growth Corridor?

The site is not located along a growth corridor.

### Site Located within Activity Center?

The site is located within the NC 66 / Old Salem Road Activity Center.

### Greenway Plan Information

*The Greenway Plan* recommends a future greenway along this portion of Abbotts Creek. At this stage, it has not been decided on which side of the creek said greenway will be located. As part of the original rezoning, a
<table>
<thead>
<tr>
<th>Comments from the Town of Kernersville</th>
<th>The Town of Kernersville is not opposed to the subject request. A driveway permit from the Town of Kernersville will be required prior to obtaining access onto Wilchester Lane.</th>
</tr>
</thead>
</table>
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | (R)(3) - Have changing conditions substantially affected the area in the petition?  
No  
(R)(4) - Is the requested action in conformance with Legacy 2030?  
Yes |
| Analysis of Conformity to Plans and Planning Issues | The subject request is rezone 8.44 acres of undeveloped property from RM8-S to RS20-L for the purpose on constructing one single family home (see volunteered condition). The site was rezoned to RM8-S in 2005 as a portion of the 37.36 acre Angus Ridge development. The approved site plan shows the subject property as undeveloped common area. However, retention of the subject property within said RM8-S zoning, is not a requirement of the *Unified Development Ordinances* to meet any open space, density, or watershed calculation requirements.  

The approved plan also includes a 15’ wide Type II bufferyard around the western border of the subject property where RM8-S now abuts RS20 zoning. The developer has agreed to a condition to install said bufferyard at the originally approved location.  

The *Southeast Forsyth County Area Plan Update* recommends mixed use for the subject property as it is located at the western edge of the NC 66 / Old Salem Road Activity Center. This activity center extends eastward across NC 66 and includes over 500 acres. However, Abbotts Creek (which abuts the eastern edge of the site) forms a natural boundary between the townhouses of Angus Ridge to the east and the single family homes which abut the subject property to the west. Planning staff does not see that the proposed RS20-L zoning is inconsistent with the intent of the recommendation of the area plan. Staff also notes that the Town of Kernersville is not opposed to the request. Staff recommends approval. |

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

| Positive Aspects of Proposal | The RS20 district is less intense than the RM8 district.  
The one requested use is Residential Building, Single Family.  
The request retains the previously approved conditions regarding the greenway easement and a linkage from Wilchester Lane to said future greenway.  
The approved site plan for the subject property (F-1427) does not include a single family home. |
| Negative Aspects of Proposal |  
|
The adjacent Angus Ridge development meets ordinance requirements without the inclusion of the subject property. The request would not pose a noticeable increase in traffic. The Town of Kernersville does not oppose the request.

<table>
<thead>
<tr>
<th>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
</tr>
</tbody>
</table>

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**  
  a. Developer shall obtain a Watershed Permit from the Erosion Control Officer.  
  b. Developer shall obtain a driveway permit for access onto Wilchester Lane from the Town of Kernersville.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**  
  a. All requirements of the Watershed Permit shall be completed.  
  b. Developer shall complete all requirements of the driveway permit.  
  c. A Type II bufferyard shall be installed along the entire western property line adjoining RS20 zoning.

- **OTHER REQUIREMENTS:**  
  a. Only one single family home shall be allowed on the subject property.  
  b. The site shall only be accessed from Wilchester Lane.

**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.**
December 26, 2017

City of Winston Salem/Forsyth County Planning
C/O Gary Roberts
Via Email: garyr@cityofws.org

RE: ANGUS RIDGE COMMUNITY OUTREACH

Mr. Roberts –

A mailer was prepared and sent via regular mail on December 9th to all property owners within 500' of the proposed rezoning site. The letter contained background information regarding the proposed rezoning request, general information about the rezoning process (available on the planning website), and an email address for receiving comments.

As of December 26, 2017, we have received one comment indicating agreement with the proposed rezoning.

A sample letter and copy of the response letter received is attached for your records.

Sincerely,

[Signature]

Alex Carter, PE

CC: Angus Ridge HOA – Denny Walker
Encl: Sample docs, response letter
December 8, 2017

<Landowner>
<Address Info>

RE: INFORMATION ON PROPOSED REZONING CASE #F-1572

Dear <Landowner>:

Neighborhood outreach is a requirement for rezoning or site plan amendment requests filed where the subject property is located within 500' of residentially zoned property. I am reaching out to you today to provide background information and offer an opportunity to present comments on the above mentioned proposed rezoning case located within 500' of your property.

BACKGROUND

The rezoning proposal is to remove approximately 8.44 acre from a multi-family residential community named Angus Ridge. This 8.44 acre tract is proposed to be rezoned to RS20-L for the purpose of building a single (one) residential family home. This activity is not currently allowed under the approved site plan for Angus Ridge and planning staff has recommended the rezoning of the 8.44 acre site to be more appropriate for its intended use.

The rezoning petitioner is Angus Ridge Homeowners Association, Inc. and they wish to include the following conditions for consideration:

1. Petitioner wishes to limit the use to one (1) single family residential home on the site.
2. Petitioner wishes to keep the existing bufferyards for the existing multi-family residential site in the current locations. Alternative compliance may be used for the bufferyards located in the proposed rezoning site area.
3. Petitioner wishes to keep the public access to the greenway area, which runs through the proposed rezoning site, as shown in Plat Book 52, Pg. 149-151, in the current location.
4. Petitioner wishes to access the proposed RS20-L rezoning site from Wilchester Lane, a public right of way.

You can find mapping and planning staff information regarding the site by going to the City of Winston Salem website (cityofws.org) and entering “F-1572” in the search bar. This information is generally posted around the 15th of each month.
COMMENTS

Please send all comments you may have to AngusRidge2017@gmail.com. We will summarize all comments received and provide them to the planning staff at least eight (8) days prior to the scheduled Planning Board meeting.

Additional information provided by City of Winston Salem planning staff regarding the rezoning process is included. Please read over this information and direct any questions you may have to the contact listed on the information sheet.

Thank you and we look forward to hearing your comments,

Beeson & Carter, PA for
Angus Ridge Homeowners Association, Inc.
COMMENTS

Please send all comments you may have to AngusRidge2017@gmail.com. We will summarize all comments received and provide them to the planning staff at least eight (8) days prior to the scheduled Planning Board meeting.

Additional information provided by City of Winston Salem planning staff regarding the rezoning process is included. Please read over this information and direct any questions you may have to the contact listed on the information sheet.

Thank you and we look forward to hearing your comments,

Beeson & Carter, PA for
Angus Ridge Homeowners Association, Inc.

We are in agreement with this rezoning proposal.

Kathy T. Miller
1457 Caugle Lane
Greensboro, NC
27428-4
F1572 (S)  
ANGUS RIDGE HOMEOWNERS ASSOCIATION INC  
PO BOX 83  
WINSTON SALEM, NC 27102

F1572 (N)  
ANGUS DEVELOPMENT LLC  
1349 S PARK DR  
KERNERSVILLE, NC 27284

F1572 (N)  
AUSTIN BOBBY G  
AUSTIN DOROTHY  
101 WILCHESTER LN  
KERNERSVILLE, NC 27284

F1572 (N)  
BEVINS KIMBERLY L  
THOMPSON JOYCE CHRISTINE  
109 CHEVIOT DR  
KERNERSVILLE, NC 27284

F1572 (N)  
CROWDER JOHN DAVID  
CROWDER BETTY STRADER  
1405 CULLODEN CT  
KERNERSVILLE, NC 27284

F1572 (N)  
ELLIS DONALD EMMETT  
ELLIS JANE C  
1409 CULLODEN CT  
KERNERSVILLE, NC 27284

F1572 (N)  
FEDERAL HOME LOAN MORTGAGE CORPORATION  
2300 WINDY RIDGE NORTH TOWER RD STE 200  
ATLANTA, GA 30339

F1572 (N)  
HAMMED DONALD E  
HAMMED SHEILA  
1427 CAWDOR  
KERNERSVILLE, NC 27284

F1572 (N)  
JANET ANNE DOWNING FAMILY TRUST  
DOWNING JANET ANNE  
105 CHEVIOT DR  
KERNERSVILLE, NC 27284

F1572 (N)  
KING ARNOLD G  
1437 CAWDOR LN  
KERNERSVILLE, NC 27284

F1572 (N)  
LAWSON D TODD  
LAWSON TRACIE SLATE  
1423 CAWDOR LN  
KERNERSVILLE, NC 27284
December 8, 2017

Phillip Fulton
Kernersville, NC 27284

RE: INFORMATION ON PROPOSED REZONING CASE #F-1572

Dear Phillip Fulton:

Neighborhood outreach is a requirement for rezoning or site plan amendment requests filed where the subject property is located within 500' of residentially zoned property. I am reaching out to you today to provide background information and offer an opportunity to present comments on the above mentioned proposed rezoning case located within 500' of your property.

BACKGROUND

The rezoning proposal is to remove approximately 8.44 acre from a multi-family residential community named Angus Ridge. This 8.44 acre tract is proposed to be rezoned to RS20-L for the purpose of building a single (one) residential family home. This activity is not currently allowed under the approved site plan for Angus Ridge and planning staff has recommended the rezoning of the 8.44 acre site to be more appropriate for its intended use.

The rezoning petitioner is Angus Ridge Homeowners Association, Inc. and they wish to include the following conditions for consideration:

1. Petitioner wishes to limit the use to one (1) single family residential home on the site.
2. Petitioner wishes to keep the existing bufferyards for the existing multi-family residential site in the current locations. Alternative compliance may be used for the bufferyards located in the proposed rezoning site area.
3. Petitioner wishes to keep the public access to the greenway area, which runs through the proposed rezoning site, as shown in Plat Book 52, Pg. 149-151, in the current location.
4. Petitioner wishes to access the proposed RS20-L rezoning site from Wilchester Lane, a public right of way.

You can find mapping and planning staff information regarding the site by going to the City of Winston Salem website (cityofws.org) and entering “F-1572” in the search bar. This information is generally posted around the 15th of each month.

I have no objection to this rezoning.

Phillip Fulton
12-24-17

503 High Street
Winston Salem, NC 27101
336-748-0071
DOCKET #: F1573

PROPOSED ZONING:
RS30-S

EXISTING ZONING:
AG

PETITIONER:
Shirley Hester

SCALE: 1" represents 500'

STAFF: Roberts

GMA: 5

ACRES: 15.93

NEAREST BLDG: 15' west

MAP(S): 6889.04

Property included in zoning request.

500' mail notification radius. Property not in zoning request.
CITY-COUNTY PLANNING BOARD
DRAFT STAFF REPORT

PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>F-1573</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr., AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Shirley Hester</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN # 6889-64-8358</td>
</tr>
<tr>
<td>Address</td>
<td>The undeveloped site does not currently have an address assignment.</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special use rezoning from AG to RS30-S</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from AG (Agricultural – 40,000 sf minimum lot size) to RS30-S (Residential, Single Family – 30,000 sf minimum lot size – special use zoning). The petitioner is requesting the following use: • Residential Building, Single Family</td>
</tr>
<tr>
<td>Neighborhood Contact/Meeting</td>
<td>See Attachment B for a summary of the petitioner’s neighborhood outreach efforts.</td>
</tr>
</tbody>
</table>

Zoning District Purpose Statement

The RS30 District is primarily intended to accommodate single family detached dwellings on approximately three-quarter (0.75) acre lots in areas without access to public water and sewer services. This district is intended for application in GMAs 4 and 5. The district may also be applicable to older, larger lot development in GMAs 2 and 3 developed prior to the effective date of this Ordinance.

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes, the site is located within GMA 5, it is adjacent to other RS30 zoned properties, and the site plan is for single family homes on lots of at least 30,000 square feet.

GENERAL SITE INFORMATION

| Location | Southwest side of Goodwill Church Road west of Piney Grove Road |
| Jurisdiction | Forsyth County |
| Site Acreage | ± 15.93 acres |
| Current Land Use | The site is currently undeveloped. |

Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AG</td>
<td>Undeveloped property</td>
</tr>
<tr>
<td>East</td>
<td>RS40</td>
<td>Undeveloped property</td>
</tr>
<tr>
<td>South</td>
<td>RS30</td>
<td>Single family homes</td>
</tr>
<tr>
<td>West</td>
<td>RS30</td>
<td>Single family homes</td>
</tr>
</tbody>
</table>

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes, the proposed use of Residential Building, Single Family is a permitted use on all of the adjacent properties.
**Physical Characteristics**
The eastern portion of the site along Goodwill Church Road has been farmed. The majority of the site is heavily wooded. The site has a moderate slope downward toward the southwest.

**Proximity to Water and Sewer**
The site has access to public water service but does not have access to public sewer.

**Stormwater/Drainage**
The proposed new streets will utilize a ditch cross section for stormwater management.

**Watershed and Overlay Districts**
The site is not located within a water supply watershed.

**Analysis of General Site Information**
The site has generally favorable topography and although it has access to public water, it does not have access to public sewer service. Depending upon the site’s capability to accommodate septic systems, the site is adequate for the proposed single family residential development.

### Relevant Zoning Histories

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>F-1457</td>
<td>AG to RS40</td>
<td>Approved 4-10-2006</td>
<td>Directly northeast</td>
<td>8.37</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### Site Access and Transportation Information

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goodwill Church Road</td>
<td>Minor Thoroughfare</td>
<td>461’</td>
<td>1,600</td>
<td>15,800</td>
</tr>
<tr>
<td>Stag Meadow Lane</td>
<td>Local Street</td>
<td>50’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>White Tail Trail</td>
<td>Local Street</td>
<td>50’</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**
The primary access to the site will be from Goodwill Church Road. The site will also connect with two public streets which stub into the subject property, Stag Meadow Lane and White Tail Trail.

**Planned Road Improvements**
Goodwill Church Road and nearby Piney Grove Road are minor and major thoroughfares respectively. They are planned as two lane cross sections with wide shoulders. As indicated by the 2007 Collector Street Plan, the intersection of Goodwill Church Road and Piney Grove Road is recommended for realignment with Freeman Road (see Attachment C). The Winston-Salem/Forsyth County Planning Board endorsed the Collector Street Plan on July 12, 2007 and the Winston-Salem Urban Area Transportation Advisory Committee adopted the plan on September 20, 2007.

**Trip Generation - Existing/Proposed**
- **Existing Zoning: AG**
  15.93 acres x 43,560 sf / 40,000 sf = 17 units x 9.57 (SFR Trip Rate) = 163 Trips per Day
- **Proposed Zoning: RS30-S**
  19 lots x 9.57 (SFR Trip Rate) = 182 Trips per Day

**Sidewalks**
There are no sidewalks located in the general area. Sidewalks are not required in new subdivisions within the jurisdiction of Forsyth County in the Rural Growth Management Area 5.
<table>
<thead>
<tr>
<th>Transit</th>
<th>Not available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connectivity</td>
<td>The proposed street layout demonstrates excellent connectivity and proposes no cul-de-sacs. Connectivity to all four sides of the subject property is provided either by connections to an existing street or with a street stub.</td>
</tr>
<tr>
<td>Analysis of Site Access and Transportation Information</td>
<td>The subject property has frontage on a minor thoroughfare and will also have interior connections to public streets as well as a stub street extending to the undeveloped property located to the north. The trip generation for both the existing and the proposed zonings are essentially the same. Staff does not foresee any transportation related issues associated with the proposed rezoning.</td>
</tr>
</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Units (by type) and Density</th>
<th>19 single family homes on 15.93 acres = 1.2 dwelling units per acre</th>
</tr>
</thead>
</table>
| UDO Sections Relevant to Subject Request | • Chapter B, Article II, Section 2-1.2 (D) RS30 Residential Single Family District  
• Chapter D, Article IV, Major Subdivisions |
| Complies with Chapter B, Article VII, Section 7-5.3 | (A) *Legacy 2030 policies*: See comments below.  
(B) *Environmental Ord.*: NA  
(C) *Subdivision Regulations*: Yes |
| Analysis of Site Plan Compliance with UDO Requirements | The proposed site plan is for a 19 lot single family subdivision. Public streets are proposed and the layout exceeds the minimum connectivity ratio requirement of the UDO. The lots will be served with public water but not public sewer service. The site plan meets UDO requirements. |

### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy 2030 Growth Management Area</th>
<th>Growth Management Area 5 - Rural Area</th>
</tr>
</thead>
</table>
| Relevant *Legacy 2030 Recommendations* | • Encourage subdivisions that conserve open space and rural vistas.  
• Do not rezone property to more intense districts. |
| Relevant Area Plan(s) | *Northeast Rural Area Study* (2012) |
| Area Plan Recommendations | • Encourage rurally-compatible design and landscaping of residential development to minimize the impact of new developments on the community’s rural and scenic character.  
• Minimize the rezoning of land to more intensive residential development. |
| Site Located Along Growth Corridor? | The site is not located along a growth corridor. |
| Site Located within Activity Center? | The site is not located within an activity center. |
### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

| **(R)(3) - Have changing conditions substantially affected the area in the petition?** | No |
| **(R)(4) - Is the requested action in conformance with Legacy 2030?** | See comments below. |

### Analysis of Conformity to Plans and Planning Issues

The subject request is to rezone a 15.93 tract of undeveloped land from AG to RS30-S in order to develop a 19 lot single family subdivision. Located directly to the south and west of the subject property is the Deer Path neighborhood which is zoned RS30. The proposed site plan includes two street connections to this development as well as a stub street to the undeveloped property to the north.

The site is located within the Rural GMA and within the *Northeast Rural Area Study*. In both of these documents, the *general* recommendation is to minimize the rezoning of land to more intensive residential districts. However, in looking closely at the subject request, Planning staff makes the following *site specific* observations. First, the subject property is not positioned in the middle of a large uniformly zoned area of AG. As noted previously, the site is located directly adjacent to a developed neighborhood which is zoned RS30 and includes two street stubs into the subject property. Secondly, the subject property is served with public water. Finally, the proposed single family residential subdivision is compatible with the development pattern of the adjacent neighborhood.

In consideration of these site specific characteristics, Planning staff sees the subject request as representing a logical continuation of the Deer Path neighborhood. Staff recommends approval.

### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th><strong>Positive Aspects of Proposal</strong></th>
<th><strong>Negative Aspects of Proposal</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The request is consistent with the RS30 district purpose statement.</td>
<td>The request would result in smaller residential lot sizes on a site which is located within GMA 5 and is not served with public sewer.</td>
</tr>
<tr>
<td>The proposed site plan is compatible with the adjacent residential development which is zoned RS30.</td>
<td></td>
</tr>
<tr>
<td>The site has access onto a minor thoroughfare and it is served with public water.</td>
<td></td>
</tr>
<tr>
<td>The proposed trip generation is comparable with what would be expected under the current zoning.</td>
<td></td>
</tr>
<tr>
<td>The proposed site plan demonstrates excellent street connectivity and includes no cul-de-sacs.</td>
<td></td>
</tr>
</tbody>
</table>

### 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.
• PRIOR TO THE ISSUANCE OF GRADING PERMITS:
  a. Developer shall obtain all necessary permits (including stormwater) from the NC
     Division of the Environment and Natural Resources (DENR).
  b. Developer shall obtain a driveway permit from NCDOT.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS:
  a. Developer shall record a final plat in the Office of the Register of Deeds. Final plat
     shall show street right-of-ways, and all access and utility easements.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
  a. All NCDENR requirements shall be completed.
  b. Developer shall complete all requirements of the driveway permit.

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.
# INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

**Project Case Number:** F-1573

## PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS

Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests, Subdivisions, and Planning Board Review items; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. A list of recommended conditions from this Interdepartmental Review will be sent to you via e-mail generally by the end of the business day on Friday the week prior to the Planning Board Public Hearing.

<table>
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<tr>
<th>PROJECT CASE NUMBER:</th>
<th>F-1573</th>
<th>PROJECT TITLE:</th>
<th>Deer Path Phase 3</th>
<th>DATE:</th>
<th>12/27/17</th>
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<tr>
<td>PROJECT DESCRIPTION:</td>
<td>Southwest side of Goodwill Church Road, west of Piney Grove Road</td>
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**NCDOT (Wright Archer)- Phone # - 336.747.7900 Email:** warcher@ncdot.gov

NCDOT Driveway Permit is required to consist of 2 signed driveway permit applications, $50 check made payable to NCDOT, and 5 sets of plans. NCDOT Encroachment Agreement is required for water line tap.

**WSDOT (Jeff Fansler)- Phone # - 336.747.6883 Email:** jeffreygf@cityofws.org

Remove entrance Signs from sight esmt. Lanes should be a minimum of 11’. Please indicate that on the plan in the typical section. Show mail kiosk on the plan. Provide a radius on the R/W on both sides of the entrance to development. Locate Driveways as far away from the intersections as possible. NAE should remain along Goodwill church road, but does not need to be 10’.

**Engineering (Al Gaskill)- Phone # - 336.747.6846 Email:** albertcg@cityofws.org

No Comment

**Inspections - Phone # - Aaron King - 336.747.7068 Email:** aaronk@cityofws.org

**Erosion Control (Matt Osborne)- Phone # - 336.747.7453 Email:** matthewo@cityofws.org

An Environmental Grading and Erosion Control Permit will be required if more than 10,000 square feet is to be disturbed during any potential construction. An Erosion and Sedimentation Control plan must be submitted and approved before the permit can be issued. Please submit this plan at least 30 days prior to the intended start date of construction.

**Stormwater Division (Joe Fogarty)- Phone # - 336.747.6961 Email:** josephf@cityofws.org

No Comment

**County Fire- (Tony Stewart)- Phone # - 336.703.2562 Email:** stewartaj@forsyth.cc

Meets intent of code
Utilities (Todd Lewis)- Phone # - 336.747.6842 Email: toddl@cityofws.org

- Submit water extension plans to Utilities Plan Review for permitting/approval.
- Make Hydraulic Tie Stag Meadow Lane to help with Chlorine Residuals/Water Quality.
- Water Meters purchased through City of Winston-Salem.
- NCDOT Encroachment agreement required for water line. NCDOT will require to bore and jack the water line tie in Goodwill Church Road.

Sanitation (Johnnie Taylor)- Phone # - 336.748.3080 Email: johnniet@cityofws.org

Planning (Aaron King)- Phone # - 336.747.7068 Email: aaronk@cityofws.org

Planning staff will recommend that a stub street to the north be included in this development.

Street Names/Addresses (Matt Hamby) -336. 747.7074 Email: hambyme@mapforsyth.org
Street Names/Addresses (Stacy Tolbert) -336. 747.7497 Email: tolbersy@mapforsyth.org

Addresses will be issued during planning process.

Forsyth County Health Department - 336.703-3110 Email: rakescd@forsyth.cc

Applications to be submitted to the FCHD prior to issuance of grading permits. Also, all copies of Licensed Soil Scientist maps and documentation to be submitted with those applications.

Vegetation Management -336.748.3020 Email: keithf@cityofws.org
EXISTING USES ALLOWED IN THE AG ZONING DISTRICT
Forsyth County Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Adult Day Care Home
Agricultural Production, Crops
Agricultural Production, Livestock
Agricultural Tourism
Animal Feeding Operation
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Fish Hatchery
Kennel, Outdoor
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private
Transmission Tower (see UDO)

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Cemetery
Church or Religious Institution, Community
Golf Course
Landfill, Land Clearing/Inert Debris, 2 acres or less
Library, Public
Planned Residential Development
School, Private
School, Public
Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Borrow Site
Campground
Child Day Care, Large Home
Dirt Storage
Fishing, Fee Charged
Habilitation Facility A
Manufactured Home, Class A
Manufactured Home, Class B
Manufactured Home, Class C
Nursing Care Institution
EXISTING USES ALLOWED IN THE AG ZONING DISTRICT
Forsyth County Jurisdiction Only

Park and Shuttle Lot
Recreational Vehicle Park
Riding Stable
Shooting Range, Outdoor
Special Events Center
Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Landfill, Land Clearing/Inert Debris, greater than 2 acres

SUP not required if requirements of Section B.2.5.2(A) are met
Turner Built Homes, LLC
8582 Sheppard’s Run Dr.
Kernersville, NC 27284

Please allow me to introduce myself, my name is Mike Turner with Turner Built Homes, LLC and we applied to re-zone 15.93 acres on the northern side of Deer Path Subdivision from Agricultural to Residential 30-S, as a phase III to the Deer Path Subdivision.

You are being cordially invited to attend an informational meeting on December 14, 2017 at the Kernersville Community house located at 405 Salisbury St. Kernersville, NC 27284 at 6:30PM where the developer can provide you with detailed information of the proposed phase 3 and will be available to answer any questions.

Sincerely,

Mike Turner

11/20/17
# Sign In Sheet

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<thead>
<tr>
<th>Name</th>
<th>Phone</th>
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<tr>
<td>1. Judy Tommend</td>
<td>336-688-1022</td>
<td>N/A</td>
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<td>2. Alex John Schiffer</td>
<td>330-575-9881</td>
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<td>3. Wendy Bouton</td>
<td>330-595-8266</td>
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<td>4. Ramo</td>
<td>614-561-6601</td>
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<td>5. Angela Miller</td>
<td>356-317-3732</td>
<td><a href="mailto:Angela.Cickley29@yahoo.com">Angela.Cickley29@yahoo.com</a></td>
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<td>6. Roger Hoots</td>
<td>356-545-3502</td>
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<td>7. Mark &amp; Rayanne L.</td>
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<td>8. Stewart</td>
<td>804-399-3685</td>
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<td>9. Art Kuhlmann</td>
<td>334-392-8475</td>
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<td>10. Sarah Care</td>
<td>336-681-7048</td>
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<tr>
<td>12. Christy &amp; J. G.</td>
<td>336-908-3698</td>
<td><a href="mailto:goodmenchristy@gmail.com">goodmenchristy@gmail.com</a></td>
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<td>13. Chevelle W.</td>
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Hester Shirley L
5991 Reidsville Rd
Bellewa Creek NC 27009

Hawks Clinton Don Hawks Phyllis
3088 Buck Forest DR
Kernersville NC 27284

Hydraulics Ltd
202 Mackenan DR
Cary NC 27511

Warner James A
9533 White Tail TRL
Kernersville NC 27284

Stewart Sean M Stewart Krisiina A
9513 White Tail Tri
Kernersville NC 27284

Cumming Bruce A Cumming Debra
925 Madison Place Cir
Kernersville NC 27284

Hydraulics Ltd
202 Mackenan DR
Cary NC 27511

Sauls Carl Edward Sauls Mary Brown
9345 Deer Path Ln
Kernersville NC 27284

Fulton Margarett
9154 Goodwill Church RD
Kernersville NC 27284

Kung Wrenfried Kung Sandra R
2960 Piney Grove RD
Kernersville NC 27284

Johnson Norman E Johnson Cindy
9312 Deer Path Ln
Kernersville NC 27284

Ross James T Ross Deborah L
9308 Deer Path LN
Kernersville NC 27284

Townsend Judy Hedcock Loullian
198 Westbridge Rd
Winston Salem NC 27107

RAMOS RONALD A
9378 Deer Path Ln
Kernersville NC 27284

Hayes Kelly
9326 White Tail TRL
KERNERSVILLE NC 27284

Morales Aaron A Morales Tiffany A
9372 Deer Path Ln
Kernersville NC 27284

Doskocil Mark Doskocil Lisa
9393 Deer Path LN
Kernersville NC 27284

Wright Ronald Anthony Wright Carol
Smith
9389 Deer Path LN
Kernersville NC 27284

Miller Gregory D Miller Angela R
9385 Deer Path Ln
Kernersville NC 27284

Lanowitz Mark Lanowitz Rayanne
9504 White Tail TRL
Kernersville NC 27284

Clark Hiwthia R Clark Shelia A
9337 White Tail TRL
Kernersville NC 27284

Baxter Newton S Baxter Sally
9529 White Tail TRL
Kernersville NC 27284

Scheffer John C Scheffer Grace A
9525 White Tail TRL
Kernersville NC 27284

Goodmon Jonathan G Goodmon Christy L
9517 White Tail TRL
Kernersville NC 27284

The Fulton Trust Fulton Charles R
9174 Goodwill Church RD
Kernersville NC 27284

Hoots Roger C Hoots Judy J
9340 Deer Path LN
Kernersville NC 27284

Bouton Scott C Bouton Wendy Denny
9340 Deer Path LN
Kernersville NC 27284

Lintz Wesley A Lintz Johnna S
9332 Deer Path LN
Kernersville NC 27284

Philo Thomas W Philo Charlene K
9321 Deer Path Ln
Kernersville NC 27284
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<td>Duke Power Co</td>
<td>422 S Church ST, Charlotte NC 28202</td>
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<td>Murray John H</td>
<td>6580 Kernesville RD, Belews Creek NC 27009</td>
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<td>Martin June</td>
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<td>Cooper Douglas W Cooper Lisa M 9333 Deer Path LN, Kernersville NC 27284</td>
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<td>Thornton Donna S</td>
<td>5615 Fulton Ln, Kernersville NC 27284</td>
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Item discussed at the community outreach meeting on December 14, 2017 for the proposed phase, Ill to Deer Path Subdivision.

The presentation portion of the meeting included:

- Will Create 20 RS/30 Building lots with an expected yield of 19 Lots
- All Construction will require a minimum of Brick or Stone Front Construction.
- No two homes will have the same or similar elevations, making this a unique community.
- This will create a 2\textsuperscript{nd} entry and exit for Deerpath thus reducing traffic on Deerpath Ln.
- New home prices will begin in the Mid. $200,000's.
- Other communities that we have competed in Kernersville include Sheppard’s Run and Phase, Ill to Sheffield Place.

Items of concern that were raised from the attendees.

- Some of the people that live at the end of White Tail Trail were concerned about the loss of privacy.
  - Reply: Our plan is drawn to include leaving a perimeter tree buffer on the boundary, there will not be a clear cutting of the trees with mass grading of the land, I invited the attendees to visit Sheppard’s Run and Phase Ill of Sheffield Place subdivisions that I was responsible for developing, to see how we try to preserve privacy.
• Others that live on white Tail Trail were concerned about the increase in traffic being that their children are currently able to play at the end if the stub street.
  o Reply: With White Tail Trail being connected through to Goodwill Church Rd. it will add a 2nd main road connection for Deer Path. This will reduce the overall traffic count of:
    ▪ (60 homes x 9 trip per house per day is 540 trips per day that go through one entrance). to
    ▪ (19 additional homes = 79 homes x 9 trip per house per day is 711 trips per day divided by two entrances = 355.5 per entrance).

• The subject of the community pool, which is currently in need of deferred maintenance.
  o Reply: I expressed that phase 3, has no rights to the pool unless invited by the community, and offered if invited that as the developer I would provide for the 1st years membership fee of $300.00 for each house built and sold for the new owner, which would be an investment in the pool of $5,700.00.

• The concern of affect to their property value
  o Reply: I encouraged them to look in to the effect that Sheppard's Run and Phase, III Sheffield Place, had on the surrounding properties. I sited as an example a property in Sheffield Place phase one purchased in 2011 for $185,000.00 just sold for $217,500.00 which is a 17.6% increase.

• Concern of the ability to compete with new construction if they wanted to sell their property
  o Reply: With our planned market price point of the Mid $200,000.00, our home prices will be slightly high than the homes in Deer Path, so I feel the affect should be minimal if their homes have been kept in good repair.

• One property owner wanted to continue the enjoyment of having farm land in their back yard
  o Reply: We could not offer a reply
ZONING STAFF REPORT

DOCKET:  UDO-284  
STAFF:  Aaron King

Petitioner(s):  Planning staff

REQUEST

An ordinance amendment proposed by Planning and Development Services staff revising Chapter B of the *Unified Development Ordinances* to establish building material requirements for the use Retail Store (UDO-284).

AUTOMATIC CONTINUANCE:

Staff requests a one month continuance to further refine the proposed ordinance language. This item is automatically continued to the February 8, 2018 meeting since the continuance request was received by January 8, 2018.
STAFF REPORT

DOCKET #  UDO-285
STAFF:  Kirk Ericson

REQUEST

This UDO text amendment is proposed by City-County Planning and Development Services staff at the request of the City Council’s Community Development/Housing/General Government Committee to amend Chapter B of the Unified Development Ordinances (UDO) concerning regulations for accessory dwelling units which were previously approved by the Board of Adjustment.

BACKGROUND

On September 5, 2017 City Council adopted revised standards for accessory dwelling units (ADUs) in Winston-Salem (UDO-267). Accessory dwellings are small residential units that may be either attached to or detached from principal residential structures. Such units have been allowed by our zoning ordinance for several decades. For many years, attached ADUs were allowed with staff approval as long as those attached units met certain limitations, while detached units were permitted via the Board of Adjustment (BOA) Special Use Permit process.

In many cases, permits issued by the BOA did not allow units to be approved in perpetuity - most approved units had expiration dates, after which point the unit would no longer be allowed unless a permit renewal was issued. This permit renewal process includes a new public hearing and adjacent property owner notification.

Following approval of UDO-267, all new ADUs in Winston-Salem (both attached and detached) must be approved through the City Council Special Use District rezoning process. Approval of UDO-267 was the result of many months of discussions by Council on how ADUs should fit in neighborhoods, and how they should be reviewed and approved. One aspect of ADU regulation which was not discussed when Council adopted UDO-267, however, was what should happen to the existing ADUs which were previously approved by the BOA with permit expiration dates.

In the currently adopted ADU regulations, the only option for BOA-approved units with expiring permits is to require owners of these units to request rezoning from City Council. However, such a requirement adds difficulty and expense for property owners, especially if Council chose to deny a rezoning request for an already existing ADU. The owners of such units who applied for and were granted accessory dwelling status under one set of rules would be subject to a much more expensive and elaborate process under the current rules to keep their previously granted property rights.
ANALYSIS

This text amendment is proposed in order to allow existing ADUs which were previously approved by the BOA, and have expiring terms, to continue to be reviewed by the Board of Adjustment (rather than by City Council).

In preparing this amendment, staff researched the number of detached ADUs previously approved by the Board of Adjustment. Our records show a total of 79 units approved from 1975 to 2017, with the vast majority (over 70%) of these units being manufactured homes. Sixty-four of the units approved by the BOA include permit expiration dates which have yet to pass – these units could take advantage of the provisions proposed in this amendment.

As an added measure of protection for neighborhoods, this amendment would require the BOA to grant renewal terms of no more than 10 years to these 64 units – in other words, the Board could not grant permanent approval to any of these units (however, renewable 10 year terms could be perpetually granted as long as conditions of approval were being met). Staff believes this provision will promote better integration of ADUs into neighborhoods by giving citizens an opportunity to periodically testify on the upkeep and appropriateness of these units through the Special Use Permit public hearing process. If the BOA finds that an ADU has not been meeting the conditions which it was approved under, the Board could revoke its Special Use Permit and potentially order removal or demolition of the unit.

RECOMMENDATION

APPROVAL
UDO-285

AN ORDINANCE REVISING
CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES
TO AMEND REGULATIONS FOR ACCESSORY DWELLINGS

Be it ordained by the City Council of the City of Winston-Salem, North Carolina, that the Unified Development Ordinances is hereby amended as follows:

Section 1. Chapter B, Article II of the UDO is amended as follows:

Chapter B - Zoning Ordinance
Article II – Zoning Districts, Official Zoning Maps, and Uses

2-6 ACCESSORY USES

2-6.4 USES WHICH MAY ONLY BE ACCESSORY TO PRINCIPAL USES

(B) Dwelling, Accessory (Attached). .....An attached accessory dwelling unit may be permitted through the Special Use District Rezoning process described in Section B.6-2.2 where the following requirements are met:

(1) [Reserved]

(2) Structure. .....The principal building shall not be altered in any way so as to appear from a public street to be multiple family housing.

   (a) Prohibited Alterations. .....Prohibited alterations include, but are not limited to: multiple entranceways, multiple mailboxes, or multiple nameplates.

   (b) Access. .....Wherever feasible and consistent with the State Residential Building Code, access to the accessory dwelling unit shall be by means of existing doors.

   (c) Stairways. .....No new stairways to upper floors are permitted on any side of a building which faces a public street.

   (d) Utilities. .....Electric and/or gas utilities shall be supplied to both units through a single meter.

(3) Size of Unit. .....An attached accessory dwelling unit shall occupy no more than fifty percent (50%) of the heated floor area of the principal building, but in no case be greater than one thousand (1,000) square feet. The sum of all accessory uses, including home occupations, in a principal residential building shall not exceed fifty percent (50%) of the total floor area of the building.

(4) Parking. .....Parking for the attached accessory dwelling shall be served by the same
driveway as the principal dwelling.

(5) **Number of Accessory Dwellings.** .....No more than one accessory dwelling, whether attached or detached, shall be located on a lot.

(C) ** Dwelling, Accessory (Detached).** .....A detached accessory dwelling unit may be permitted through the Special Use District Rezoning process described in Section B.6-2.2 where the following requirements are met:

1. **Occupancy Requirements.** [Reserved]
   - (a) [Reserved]
   - (b) [Reserved]
   - (c) [Reserved]
   - (d) [Reserved]

2. **Dimensional Requirements.** .....Any detached accessory dwelling shall comply with all dimensional requirements applicable to accessory structures in Sections B.3-1.2(F) and (G).

3. **Building Requirements.** .....Any detached accessory dwelling shall comply with all building, plumbing, electrical, and other applicable codes, other than a manufactured housing unit.

4. **Manufactured Home (F).** .....A Class A or B manufactured home may be used as a detached accessory dwelling; a Class C manufactured home may be used as a detached accessory dwelling in those zoning districts where a Class C manufactured home is permitted as a principal use according to Table B.2.6.

   Manufactured Home (W). A Class A or B manufactured home may be used as a detached accessory dwelling.

5. **Number of Accessory Dwellings.** .....No more than one accessory dwelling, whether attached or detached, shall be permitted on the same lot.

6. **Existing Accessory Dwellings Approved by the Board of Adjustment With an Expiring Term** .....Existing detached accessory dwellings approved by the Board of Adjustment, through the Special Use Permit process, with an expiring term shall continue to be reviewed and decided upon by the Board of Adjustment. When renewing the Special Use Permit for said accessory units, the Board must grant an expiring approval term, not to exceed ten years, with permit renewal required at the end of said term. Detached accessory dwelling units with a Special Use Permit that has a term that: (i) expired before September 5, 2017, or (ii) is not renewed before the expiration date shall be reviewed and decided upon through the Special Use District Rezoning process described in Section B.6-2.2.

NOTE: Items to be deleted are indicated with a **strikeout**; items to be added are indicated with an **underscore**.

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Section 2. This ordinance shall be effective upon adoption. However, any SUP that expires between September 5, 2017 and the date of adoption of this text amendment shall be subject to the renewal process before the Board of Adjustment provided the renewal application is submitted to the City within 60 days of the adoption of this text amendment.
SUBDIVISION
Seven-lot Single-Family Subdivision in RS20 Zoning

CASE: 2017079
PIN: 6826-25-9311
SCALE: 1" represents 500'
STAFF: Reed
GMA: 2
ACRES: 5.1
MAP(S): 6826.01, 6826.03
SUBDIVISION STAFF REPORT

CASE #: 2017079
STAFF: Aaron King

Petitioner(s): D. Stone Builders

Subdivision: Bartram Place

Location: 5.1 acres located on the west side of Bartram Place, north of Coliseum Drive

On September 14, 2017 the CCPB granted Preliminary Subdivision approval for a seven lot subdivision known as Bartram Place. The subject property is identified as PIN# 6826-25-9311 and is located at the terminus of Bartram Place. The site plan approved by the CCPB depicted a dry detention pond located in the northeast corner of the site. Said pond would drain into an existing pipe that discharges onto an occupied single family property. The CCPB also included the following condition:

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

Developer shall submit a stormwater management plan that meets the requirements of Chapter 75 of the City Code. In addition to meeting all of the Post Construction Stormwater Management ordinance design standards, the developer shall provide management for the 2, 10, 25, and 50 year peak events as well as the 50 year volume increase.

Subsequent to the September 14th CCPB approval, the engineer for Bartram Place has concluded their detailed stormwater study. The results of this study demonstrate that there will be no adverse impacts to any downstream properties. City Stormwater staff have reviewed the study and concur with its findings. As such, the dry detention pond would not be required and is being requested to be removed from the site plan of record. In addition to a revised site plan, the original stormwater condition would be removed and replaced with the following condition:

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

Developer shall submit and have approved a stormwater management permit application that addresses all applicable water quality and water quantity provisions of Chapter 75 of the City Code.

Stormwater staff and the engineer for Bartram Place will be present at the January 11, 2018 CCPB meeting to provide additional information on this request and to answer questions.
Planning Board Members:

Arnold G. King, Chairman
Allan Younger, Vice Chair

George Bryan
Melynda Dunigan
Jason T. Grubbs
Tommy Hicks
Clarence Lambe, Jr.
Chris Leak
Brenda Smith

The mission of the City-County Planning Board of Forsyth County and Winston-Salem is to assert visionary leadership in the comprehensive, creative planning for our urban and rural community and responsible stewardship of the natural environment.

We value a beautiful, livable, harmonious, and economically successful community.