MEETING DATE: ________________________ AGENDA ITEM NUMBER: ______

SUBJECT:-

Public hearing and consideration of zoning petition of E. M. Leight Heirs from RS20 to RM8-S (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development); property is located at east side of Old Hollow Road, across from Old 66 Circle (Zoning Docket F-1624)

COUNTY MANAGER’S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

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

ATTACHMENTS:-  X  YES  ___ NO

SIGNATURE:___________________________________ DATE: ________________

County Manager
COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of E. M. Leight Heirs, Docket F-1624

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

_________________________________

BE IT ORDAINED by the Board of County Commissioners of the County of Forsyth as follows:

Section 1. The Zoning Ordinance of the *Unified Development Ordinances* of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from RS20 to RM8-S (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development) the zoning classification of the following described property:

PIN 6867-59-9952

Section 2. This Ordinance is adopted after approval of the site plan entitled *The Reserve at Old Hollow*, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of ________________, 20____ to E. M. Leight Heirs.

Section 3. The Board of Commissioners hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as *The Reserve at Old Hollow*. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.
The Forsyth County Board of Commissioners issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of E. M. Leight Heirs (Zoning Docket F-1624). 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 RM8-S (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development), approved by the Forsyth County Board of Commissioners the _____ day of ________________, 20 ___" and signed, provided the property is developed in accordance with requirements of the RM8-S zoning district of the Zoning Ordinance of the Unified Development Ordinances of the County Code, the Erosion Control Ordinance, and other applicable laws, and the following conditions be met:

- **PRIOR TO ISSUANCE OF ANY PERMITS:**
  a. The developer shall obtain a driveway permit from the North Carolina Department of Transportation; additional improvements may be required prior to issuance of the driveway permits. Additional improvements include:
     - Left and right turn lanes on Old Hollow Road at the development entrance.
     - Provide future proposed right-of-way dedication to NCDOT.
  b. Developer shall obtain all necessary permits from the North Carolina Department of Environmental Quality (NCDEQ) for stormwater management.

- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
  a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
  a. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
  b. Developer shall complete all requirements of the driveway permit(s).
  c. The developer shall install a 15-foot Type II bufferyard along the frontage of Old Hollow Road prior to the issuance of certificates of occupancy for adjacent buildings.
PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket</th>
<th>F-1624</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Marc Allred</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>E. M. Leight Heirs</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN 6867-59-9952</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use rezoning</td>
</tr>
</tbody>
</table>

Proposal

The petitioner is requesting to amend the Official Zoning Map for the subject property from RS20 (Residential Single Family – 20,000 square-foot minimum lot size) to RM8-S (Residential, Multifamily – 8 units per acre). The petitioner is requesting the following uses:

- Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Single Family; and Planned Residential Development.

Neighborhood Contact/Meeting

A summary of the petitioner’s neighborhood outreach is attached.

Zoning District Purpose Statement

The RM8 District is primarily intended to accommodate duplexes, twin homes, townhouses, multifamily, and other low intensity multifamily uses at a maximum overall density of eight (8) units per acre. This district is appropriate for Growth Management Areas 2 and 3 and may be suitable for Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services are available.

Rezoning Consideration from Section 3.2.19 A 16

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

Yes. While the site is currently located within GMA 4, it is directly adjacent to the US 158/NC66 Activity Center. The developer has also proposed to construct a public sewer connection to the site, which would effectively transition the site to a GMA 3 classification.

GENERAL SITE INFORMATION

Location

East side of Old Hollow Road, across from Old 66 Circle.

Jurisdiction

Forsyth County

Site Acreage

± 15.50 acres

Current Land Use

The property is currently undeveloped except for a private access easement on the west and north side of the property.

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>RS20</td>
<td>Agricultural uses</td>
</tr>
<tr>
<td>South</td>
<td>RS20</td>
<td>Vacant residential land</td>
</tr>
<tr>
<td>East</td>
<td>RS20</td>
<td>Single-family homes</td>
</tr>
<tr>
<td>West</td>
<td>HB-S</td>
<td>Vacant commercial land</td>
</tr>
</tbody>
</table>
Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?
Yes, townhomes are allowed on multiple properties located in the US 158/NC-66 Activity Center that adjoins this property to the west.

The subject property has a moderate downward slope to the east. The site is mostly wooded.

The site has access to public water from Old Hollow Road. A public sewer line is proposed along Old Hollow Road that will end at the northern entrance of the development. Sewer lines will be private inside the proposed development and will be pumped to a newly installed public sewer line via a private lift station located on the eastern side of the property.

A stormwater device on the eastern portion of the property will treat runoff before it leaves the site. NCDEQ will be the stormwater enforcement agency for this development.

The site is not located in a water supply watershed.

The subject property is currently undeveloped and slopes downward to the east. The site has adequate access to public water. The development would utilize a private lift station to pump sewer to adjacent public gravity sewer.

The property is not in a water supply watershed. The developer is treating runoff with a stormwater device on the eastern portion of the property.

<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>WA-015</td>
<td>RS20 to HB-S (Two Phase)</td>
<td>Approved 09/23/2004</td>
<td>North</td>
<td>24.0</td>
<td>Denial</td>
</tr>
<tr>
<td>WA-009</td>
<td>RS20 to HB-S (Two Phase)</td>
<td>Approved 02/24/2004</td>
<td>West</td>
<td>7.76 Acres</td>
<td>Denial</td>
</tr>
<tr>
<td></td>
<td>RM18-S (Two Phase)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<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 Hollow Road</td>
<td>Major Thoroughfare</td>
<td>537 feet</td>
<td>15,500</td>
<td>15,800</td>
</tr>
</tbody>
</table>
### Proposed Access Point(s)

One access point is proposed which is approximately 208 feet to the south of the Old 66 Circle and Old Hollow Road intersection.

### Proposed Road Improvements

The developer will be required to add left and right turn lanes for the access point as a part of the NCDOT driveway permit.

### Trip Generation - Existing/Proposed

**Existing Zoning: RS20**

33 potential 20,000 SF single-family lots x 9.57 trips per day (single-family trip rate) = 316 trips per day.

**Proposed Zoning: RM8-S**

100 units x 5.81 (residential townhouse trip rate) = 581 trips per day

**Potential Trips if the Site was Zoned RS-9**

15.50 acres/9,000 SF lots = 75 potential 9,000 SF single-family lots x 9.57 trips per day (single-family trip rate) = 718 trips per day

### Sidewalks

Sidewalks are proposed on both sides of the internal streets. Staff recommends sidewalks on Old Hollow Road to provide a pedestrian connection between this development and the US-158/NC-66 Activity Center. The developer has agreed to this request and has shown proposed sidewalk along the frontage of their site.

### Transit

Public transit is not available in this area.

### Connectivity

The development has a connectivity ratio of 1.2. A connection to the north of the site could not be provided due to an intervening private access easement bordering the entire northern and western sides of the property. The area plan recommends single-family residential land uses to the east and south of this property. Additionally, the site construction and topography of adjacent properties prevents future interconnectivity. Therefore, no street connection is required to the east or south.

### Transportation Impact Analysis (TIA)

A TIA is not required for this proposal.

### Analysis of Site Access and Transportation Information

The request proposes one access point from Old Hollow Road. There is currently a private access easement off Old Hollow Road across from Old 66 Circle that borders the entire western and northern sides of the property. The intervening private easement blocks any future connection to Pearl View Drive within the adjacent shopping center. Internal sidewalks are proposed on both sides of the street throughout the development. Sidewalks are also proposed along Old Hollow Road to provide a pedestrian connection to the commercial area to the north.

The proposed development would potentially generate enough traffic for Old Hollow Road to be considered over capacity at Service Level D. To help mitigate potential traffic impacts, the developer will be required to build left and right turn lanes at the development access point.

As noted, staff does not recommend multi-family residential land uses to expand further to the east or south. There are also concerns about the viability of connections in this direction due to topographic constraints.
# SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>161,368</td>
<td>Various locations</td>
<td></td>
</tr>
</tbody>
</table>

## Units (by type) and Density

| | 100 units/15.50 acres = 6.5 units per acre |

## Parking

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>200</td>
<td>225</td>
<td>90-degree and driveway parking</td>
</tr>
</tbody>
</table>

## Building Height

<table>
<thead>
<tr>
<th></th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>45 feet</td>
<td>2-stories</td>
<td></td>
</tr>
</tbody>
</table>

## Impervious Coverage

<table>
<thead>
<tr>
<th></th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>70%</td>
<td>37.2%</td>
<td></td>
</tr>
</tbody>
</table>

## UDO Sections Relevant to Subject Request

- Section 4.5.12: RM8 Residential Multifamily District
- Section 5.2.71: Residential Building, Multifamily; Townhouse; or Twin Home (use-specific standards)

## Complies with Section 3.2.11

- **(A) Legacy 2030 policies:** Yes
- **(B) Environmental Ord.:** N/A
- **(C) Subdivision Regulations:** N/A

## Analysis of Site Plan Compliance with UDO Requirements

The proposed site plan includes 100 attached dwellings fronting on four private streets: Fallen Oak Drive, Cider Mill Road, Harvest View Lane, and Autumn Field Drive. Sidewalks are shown on both sides of the private streets and will provide needed pedestrian connectivity between the townhomes, parking, common recreation areas, and the proposed sidewalk along Old Hollow Road.

The submitted site plan illustrates the required fifteen-foot Type II Bufferyard along the northern and eastern property line. The petitioner is also proposing a fifteen-foot Type II Bufferyard along Old Hollow Road and the western access easement to improve aesthetic compatibility between the streetscape and the rear yards of the townhomes.

## CONFORMITY TO PLANS AND PLANNING ISSUES

### Legacy 2030 Growth Management Area

- **GMA 4 – Future Growth Area**

### Relevant Legacy 2030 Recommendations

- Sites in GMA 4 should be treated the same as GMA 3 when making land use recommendations once public infrastructure can support urban or suburban development.
- Promote the use of moderate-density residential and office as transitional uses between intense business and residential uses.

### Relevant Area Plan(s)

- **Walkertown Area Plan Update (2014)**

### Area Plan Recommendations

- Encourage the development of a variety of housing types for different income levels, family sizes, and personal preferences in
the planning area to provide a mixture of housing opportunities, including housing opportunities for senior citizens.

- The *Walkertown Area Plan Update* recommends single-family residential uses at this location.

### Site Located Along Growth Corridor?

The site is not located along a growth corridor.

### Site Located within an Activity Center?

The site is not located within an activity center but is directly adjacent to the US 158/NC-66 Activity Center.

### Comprehensive Transportation Plan Information

U-5824, the NCDOT Old Hollow Road widening project, does not include the section in front of this site. The eventual widening project will taper down to a two-lane section east of Walkertown Commons Circle. The developer has included a future right-of-way line on the site plan for any possible future improvements along the Old Hollow Road frontage.

### Rezoning Consideration from Section 3.2.19 A 16

**Have changing conditions substantially affected the area in the petition?**

Yes. The US 158/NC-66 Activity Center has been substantially developed since the adoption of the *Walkertown Area Plan Update*. Public sewer has also been extended to facilitate that development.

**Is the requested action in conformance with Legacy 2030?**

Yes. *Legacy* states that when locations in GMA 4 gain access to public infrastructure necessary to support urban development, these areas should be treated as GMA 3 when making land use recommendations. Furthermore, this site will serve as a transitional area between the US 158/NC-66 Activity Center and the suburban and rural area that is further east on Old Hollow Road.

### Analysis of Conformity to Plans and Planning Issues

This request would rezone a 15.5-acre tract from RS20 to RM8-S to accommodate 100 townhome units at a proposed density of 6.5 dwelling units per acre.

While the *Walkertown Area Plan Update* recommends single-family residential uses at this location, the area plan also generally encourages a variety of housing types, including townhomes. *Legacy 2030* promotes transitional uses between activity centers and surrounding suburban/rural areas.

The site has direct access to a major thoroughfare and is directly adjacent to the US 158/NC-66 Activity Center. The activity center has developed significantly since the last area plan was adopted. The location is ideal for a pedestrian-friendly, appropriately scaled multifamily residential development that is close to goods and services.
This section of Old Hollow Road is at capacity, and no road improvements to this section are proposed for the foreseeable future. While the projected traffic generation is significantly higher than what is currently allowed in the RS20 district, it is less than what would be allowed in the RS9 zoning district, the standard single-family zoning district where public sewer is available. The estimated trip generation for this request is 581 trips per day, compared to an estimated 718 trips per day for an RS9 subdivision with 75 single-family homes. The potential traffic impacts may also be mitigated somewhat by the site being within walking distance of a large activity center.

### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposal provides an ideal land use transition between an activity center and nearby single-family development.</td>
<td>The proposed development would generate significantly more traffic than would currently be allowed under the current RS20 zoning.</td>
</tr>
<tr>
<td>The request would provide additional housing close to goods and services.</td>
<td>The proposed use is not consistent with the area plan proposed land use recommendation, although it is consistent with other recommendations of the plan.</td>
</tr>
<tr>
<td>The proposal would add to the variety of housing types available in the area.</td>
<td></td>
</tr>
</tbody>
</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:

- **PRIOR TO ISSUANCE OF ANY PERMITS:**
  a. The developer shall obtain a driveway permit from the North Carolina Department of Transportation; additional improvements may be required prior to issuance of the driveway permits. Additional improvements include:
    - Left and right turn lanes on Old Hollow Road at the development entrance.
    - Provide future proposed right-of-way dedication to NCDOT.
  b. Developer shall obtain all necessary permits from the North Carolina Department of Environmental Quality (NCDEQ) for stormwater management.

- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
  a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
  a. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
  b. Developer shall complete all requirements of the driveway permit(s).
  c. The developer shall install a 15-foot Type II buffer zone along the frontage of Old Hollow Road prior to the issuance of certificates of occupancy for adjacent buildings.
STAFF RECOMMENDATION: Approval

NOTE: These are staff comments only; the City-County Planning Board makes final recommendations, and final action is taken by the appropriate Elected Body, which may approve, deny, continue, or request modification to any request. 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.
Marc Allred presented the staff report.

PUBLIC HEARING

FOR:

Amanda Hodierne, 804 Green Valley Road, Suite 200, Greensboro, NC 27408

- As usual your staff report is very thorough and does a great job with its analysis of this. I think it hits all the major points, but I just want to emphasize a few things and speak to some nuances through our process.
- As you’ve heard and read, our request is to rezone to the RM8 Special Use district. That means that the site plan before you, if approved, is the only thing that can be built by this process. If anything were to change, we would have to come back through this process. I just always like to remind everyone of that point.
- I also wanted to highlight a few items in terms of the consistency and the general planning reasonableness of this proposal. The site, as you’ve heard, is located directly adjacent to a major activity center at the intersection of two main routes. It’s developed quite intensely with a commercial development that includes fast food uses, goods and services, multi-family, and has some vacant space around it that I think we all can imagine someday, as things continue to grow, would also potentially become a part of that activity center as its labeled under your planning documents. As you heard in your staff report, this proposal as attached units rather than single-family offers a nice step-down transition from that intensity that’s been placed intentionally at that corner. What that means is that single-family users would not have to one day sit directly adjacent to that high intensity commercial activity center, which is not really the guidance of planning documents and planning practice in the area. This proposal does provide that nice transitional step-down. It also provides housing choice for folks who enjoy the idea of living very close to those goods, services, and employment opportunities. We are creating a place where you can have people be able to walk to get dinner. Right up the road is a tire place you can walk home from if you are getting your tires changed. Some of those conveniences and niceties that come with living close to goods, services, and employment opportunities include workers being able to get to work without having to drive and congest the roads further. That’s one reason we like to promote housing close to these types of areas. Additionally, the site is located along a major thoroughfare, which your adopted planning documents do state is a good place to put moderate density housing. Of course, as was noted by Mr.
Allred, with the provision of sewer here, this site should be considered GMA3. I would also highlight that it makes sense to take advantage of your investment in those public resources and infrastructure expenditures. It makes sense to place a little bit of moderate density where those resources and utilities can be utilized.

- I also want to talk about our community involvement process. As you probably know and remember, we were on your agenda last month and asked for a continuance. The reason for that was because we held a community meeting with our neighbors and got a lot of feedback regarding our original proposal. We made modifications to the gravel access drive that you heard about in staff’s presentation that serves some of our residential neighbors to the rear. We submitted a revised site plan that alleviated the pressure point which was stemming from our original plan that had a proposed access point at that awkward five-legged intersection. By removing one entrance and sliding our remaining entrance further south, it alleviated that issue and we’re able to now have a site plan before you that leaves the gravel access drive as it’s currently situated intact, which has been favorably received by our neighbors. I’ve been in touch with all the folks who continued engaging with me after our community meeting, and they have expressed gratitude about that aspect. There might be other things that you hear about today, but I know at least that critical element has been addressed and we are pleased for that. We’ve also done other things to help this site plan fit best at this location. As you’ve heard, we’re offering the Type II 15-foot planting yard along our streetscape and along that gravel access drive where it’s not currently required under the ordinance, to try and preserve that visual experience for motorists as they go along Highway 66. The other thing that we are doing that speaks to the inevitable Highway 66 improvements is we’re going ahead and dedicating right-of-way for future widening. Even though it is not in the current TIP, we’ve gone ahead and matched that right-of-way width, so in the future when there is a need to widen here, you won’t have an issue with us having improvements in that area. For now it creates some additional setback homes from Highway 66.

- I do know there are some concerns about the capacity of Highway 66 and I know it’s high traffic right now, so we are committed to building turn lanes for this development.

- Additionally, choosing an appropriate land use here that doesn’t exacerbate traffic issues more that they have to be is the other smart way to handle this. Otherwise, we’re effectively saying that there’s a moratorium on development of this property until the State comes along and widens that road. What we are left to do in the meantime is appropriately manage traffic and use best practices. This is a relatively modest 100-unit townhome development that just doesn’t generate as many trips per day as would the comparable single-family zoning district that would need to go here to develop this property on sewer, which of course it’s on now.

- I think that’s everything I wanted to say but I would like to reserve some time and mention that I’m available for any rebuttal from anything we need to address from the opposition. Also, I have with me tonight our engineer, Mr. Dalton Ward from Hugh Creed Associates, who worked on this plan and worked with your TRC process. I also have with me the principals of the would-be developer, YP Walkertown, LLC, that have conceived this project and have the property under contract if we need them for any clarifications.

Clarence Lambe asked, “when do the turn lanes go in”? Do they go in prior to the road being widened? Amanda Hodierne answered that the road widening project does not extend to this property, but we would have install turn lanes to get an NCDOT driveway permit. Clarence also
asked for more information about the walkability of the project. Ms. Hodierne stated that internal walkability is provided for in the form of sidewalks and we have also agreed to put a sidewalk along our frontage of Old Hollow so that people can walk to Walkertown Landing and the commercial uses to the north. Clarence asked if this site touches the multi-family to the north. Ms. Hodierne stated they are not adjacent to the multifamily development. Clarence asked if there were any possible connections to the multi-family to the north and would the gravel drive pedestrian connectivity to the highway business to the northwest of the site? Ms. Hodierne acknowledged that the gravel drive does interfere with pedestrian access. Clarence wondered if the proposed lift station had any excess capacity to serve adjacent sites. Dalton Ward answered, “At this time, with the topography of our site and the adjacent site, it is not feasible to provide sewer access to those properties. Our plan currently is to extend public sewer along Old Hollow Road, so we’re already extending that public access there.” Clarence asked if public sewer exists all the way to the western boundary of the site or does it stop halfway there? Mr. Ward responded that this plan will sewer up three manholes to the entrance of our development. That is the extent we’re extending it.

Walter Farabee asked, “I see Walkertown Commons and I see sidewalks there, and then there’s the middle missing piece that’s undeveloped. Hopefully that would have sidewalks which would then connect to yours.” Ms. Hodierne agreed with this statement and acknowledged the incremental nature of building sidewalks in the area.

Mo McRae noted that building sidewalks segments is similar to building a stub a street at the end of a development in the hopes that one day there’s some connectivity. Internally walkability is all that can be assumed at this point, and the hope is sidewalks continue being expanded in the area, and the developer has provided an opportunity to allow for that.

AGAINST:

Glen Eaton, 3591 Old Hollow Road, Kernersville, NC 27284
- I have lived here since April 2004, and it has been wonderful. I am not here to oppose, and I am not against progress. I have built a commercial building in Kernersville, and I’ve been through this process. My meeting lasted about two and a half hours and I was really put through the ringer. I’m not trying to do that here today, but you have to understand we’re on the defense somewhat because their initial plan was to have us come through their development to get to our property. That has since been resolved and we’re extremely pleased that our gravel road will remain, but there are still some issues that we would like to point out.
- With the traffic situation that’s been mentioned already, we never seem to get anywhere. It gets thrown over to DOT and then they do whatever they want to do.
- The other thing that I would like to say is that, this project would be so much better if we could improve the buffer zone that’s being proposed. We’re talking about 15-feet. The trees along that buffer are made up of falling pine trees and other trees that really do not provide buffering. Obviously, we have had zero problems with the apartments up there since they put up a proper buffer with Leyland Cypress trees, and they put them in thick. We’re not asking for that to be done all around the property because we don’t think that’s necessary. We hope we’re not asking too much to improve the buffer that would be adjacent to our property. The reason it is so important to me, is that it’s so easy to get that right. It’s just
not a difficult thing. It’ll not provide just privacy but it’ll take care of security and protection for the people as well.

- One thing that has come up that has scared me somewhat is if we have a sidewalk going across that gravel driveway. There is a lot of traffic coming in and out of there from the two houses. It’s not just the two houses, there’s caretakers, there’s other people that use the road. There is constant traffic on that road and if you were to sit there you would see that. The Scott’s property that is agricultural land and is farmed on a regular basis also use this road. Again, there is a little bit more traffic on that gravel road than what people might realize. We’re not used to having to watch for little kids and people out there and it’s just a security issue as far as I’m concerned. Other than that, I’m not against progress.

Scott Snow, 5177 Main Street, Walkertown, NC 27051

- I’m here to elaborate a little bit on the Town’s recommendations that we made back in October. Some of those issues have been addressed with the changes to the site plan, but there is still a general concern about the additional traffic generation that this proposal would create, about three times what the current zoning would be if it was developed within RS20. As we mentioned, traffic backs up at the intersection of 158 and 66 during the high traffic time. It backs up way past this section, especially the traffic heading west. That’s probably not going to improve very much because the I-74 access is off of 158 there, so you have a lot of traffic still heading that way to turn left.

- Some questions were brought up about walkability. There are no sidewalks on 66. That area on Old Hollow Road is actually 55-mph, so adding sidewalks to that area is not feasible. The town has approached DOT to change that but we’ve not made any progress. No improvements to that area are planned so that will be a two-lane 55mph road for the foreseeable future. The connectivity that improves walkability to the site most likely not going to happen, because there is kind of a buffer between this site and the Town. The town can’t expand sidewalks there, because the site is outside of the Town’s jurisdiction.

- The Town also had an issue about the area plan recommendations. As it is noted in the staff report, the proposed use is not consistent with the area plan proposed land use recommendation. The proposed land use recommendation is single-family rather than multi-family. The staff report notes that there’s a general encouragement for providing a variety of housing in this area. I will say from the Town standpoint, we believe that has been provided in this area. As was shown in the pictures, there’s ample multifamily adjacent to this site as well as across the street. Further west down Highway 66 there are mixed-use neighborhoods that have multifamily and single family, as well as additional new developments that have that type of housing that are hopefully being built in the next couple of years. We don’t believe it is necessary to extend this type of housing into areas that are recommended to stay single family.

WORK SESSION

MOTION: Mo McRae recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Walter Farabee
VOTE:
  FOR:  Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño,
       Brenda Smith, Jack Steelman
  AGAINST:  George Bryan
  EXCUSED:  None

MOTION:  Mo McRae recommended approval of the ordinance amendment.
SECOND:  Walter Farabee
VOTE:
  FOR:  Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño,
       Brenda Smith, Jack Steelman
  AGAINST:  George Bryan
  EXCUSED:  None

____________________________
Chris Murphy, AICP/CZO
Director of Planning and Development Services
Property included in zoning request.
500’ mail notification radius. Property not in zoning request.

MAP(S):

DOCKET #: F-1624
(continued from 11/10/22)

PROPOSED ZONING:
RM8-S

EXISTING ZONING:
RS20

PETITIONER:
E M Leight (Old Hollow Road Townhomes)

SCALE: 1” represents 300’

STAFF: Allred

GMA: 4

ACRES: 15.50

NEAREST BLDG: 163’ east

MAP(S): 6867.02; 6868.04
Walkertown Area Plan Update, 2014
(Proposed land uses shown are generalized. See area plan for specific recommendations.)

Proposed Land Use
- Single-Family Residential (0-8 Du/.Ac)
- Low-Density Attached Residential (0-8 DU/Ac)
- Intermediate-Density Residential (8.1-18 DU/Ac)
- Office
- Commercial
- Mixed-Use Development
- Industrial
- Institutional
- Park
- Utilities

Proposed Growth Corridor
- Urban/Suburban Form - Single-Family Residential
**USES ALLOWED IN THE RS20 ZONING DISTRICT**

**Forsyth County Jurisdiction**

### USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

- Adult Day Care Home
- Agricultural Production, Crops
- Agricultural Production, Livestock
- Child Day Care, Small Home
- Church or Religious Institution, Neighborhood
- Family Group Home A
- Police or Fire Station
- Recreation Facility, Public
- Residential Building, Single Family
- Swimming Pool, Private
- Transmission Tower (see use-specific standards in *UDO ClearCode*)

### USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)

- Church or Religious Institution, Community
- Golf Course
- Library, Public
- Planned Residential Development
- School, Private
- School, Public
- Utilities

### USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)

- Bed and Breakfast
- Borrow Site
- Child Day Care, Large Home
- Dirt Storage
- Fishing, Fee Charged
- Habilitation Facility A
- Kennel, Outdoor
- Landfill, Land Clearing/Inert Debris, 2 acres or less
- Manufactured Home, Class A
- Manufactured Home, Class B
- Nursing Care Institution
- Park and Shuttle Lot
- Riding Stable
- Shooting Range, Outdoor
- Special Events Center
- Transmission Tower

### USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)

- Landfill, Land Clearing/Inert Debris, greater than 2 acres (F)
- Access Easement, Private Off-Site
- Parking, Off-Site, for Multifamily or Institutional Uses

---

3See Section 5.2.74

5SUP not required if standards of Section 5.2.2A are met
The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Thursday two weeks before (14 days prior to) the Planning Board meeting.

Open Issues: 15

<table>
<thead>
<tr>
<th>Erosion Control</th>
<th>General Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8. Grading/Erosion Control Permit and Erosion Control Plan needed</td>
</tr>
<tr>
<td>City of Winston-Salem</td>
<td>If the proposed project creates more than 10,000 sq. ft. of land disturbance (20,000 sq. ft. of land disturbance for Single-Family Dwelling construction), a Grading/Erosion Control Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion Control Plan along with an original signed/notarized Financial Responsibility/Owernship (FRO) form for review and approval. Please submit the plan through the electronic plan review portal as application type 04.02 Grading/Erosion Control Permit at the following link: <a href="https://winston-salem.idtplans.com/secure/">https://winston-salem.idtplans.com/</a></td>
</tr>
<tr>
<td>Matthew Osborne</td>
<td>336-747-7453</td>
</tr>
<tr>
<td><a href="mailto:matthewo@cityofws.org">matthewo@cityofws.org</a></td>
<td></td>
</tr>
<tr>
<td>10/6/22 2:02 PM</td>
<td>01.03) Rezoning-Special Use District - 2</td>
</tr>
</tbody>
</table>

Created with idtPlans Review

10/19/22
9. Erosion Control Plan Review to NCDEQ - DEMLR

City of Winston-Salem
Matthew Osborne
336-747-7453
matthewo@cityofws.org
10/6/22 2:02 PM
01.03) Rezoning-
Special Use District - 2

If this project will use any public funds, then Erosion Control Plan approval will need to be completed through NCDEQ - DEMLR. The contact for NCDEQ - DEMLR at the Winston-Salem Regional Office is Tamera Eplin (336-776-9800).

MapForsyth Addressing Team

14. Addressing & Street Naming

Forsyth County
Government
Gloria Alford
336-703-2337
alfordgd@forsyth.cc
10/17/22 2:38 PM
01.03) Rezoning-
Special Use District - 2

The roads will need to be named. Contact me alfordgd@forsyth.cc in regard to street naming.

NCDOT

15. NCDOT Comment

NCDOT Division 9
Victoria Kildea
336-747-7900
vrkildea@ncdot.gov
10/17/22 3:16 PM
01.03) Rezoning-
Special Use District - 2

- NCDOT Driveway permit required. Randy Ogburn is the primary point of contact – rogburn@ncdot.gov
  We prefer that the driveway permit be submitted on our online portal, and shall consist of the permit application (form TEB-65-04) and a detailed site plan showing the access points. Review of the permit package will begin after receiving the application, site plan, and Construction Inspection Fee. The Construction Inspection Fee is payable by check, and is $50 per driveway connection.
- Left and right turn lanes are required for both entrances.
- We have a concern about the northern driveway connection posing conflicts with the existing gravel driveway and Old 66 Circle (too many conflict points occurring at one location).
- This section of NC 66 has been submitted as an STIP project for proposed future widening. Contact person is Fred Haith, Division Planning Engineer – fdhaith1@ncdot.gov for the current STIP status.
- A 16.1B encroachment agreement would be required for road improvements.
- A 16.3 3-party encroachment agreement would be required for utility ties (water and sewer), and sidewalk.
- All encroachment agreements should be submitted through the online portal. Thomas Scott is the primary point of contact – ntscott@ncdot.gov

Planning

10. Historic Resources
<table>
<thead>
<tr>
<th>Number</th>
<th>Title</th>
<th>City of Winston-Salem</th>
<th>Name</th>
<th>Phone</th>
<th>Email</th>
<th>Date</th>
<th>Time</th>
<th>Rezoning-Special Use District - 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>CAC</td>
<td>City of Winston-Salem</td>
<td>Amy Crum</td>
<td>336-747-7051</td>
<td><a href="mailto:amyc@cityofws.org">amyc@cityofws.org</a></td>
<td>10/17/22</td>
<td>11:31 AM</td>
<td>No comment.</td>
</tr>
<tr>
<td>17</td>
<td>Environmental Features/Greenways</td>
<td>City of Winston-Salem</td>
<td>Elizabeth Colyer</td>
<td>336-747-7427</td>
<td><a href="mailto:elizabethrc@cityofws.org">elizabethrc@cityofws.org</a></td>
<td>10/17/22</td>
<td>5:56 PM</td>
<td>No comments.</td>
</tr>
<tr>
<td>18</td>
<td>No need for Building Triangles</td>
<td>City of Winston-Salem</td>
<td>Marc Allred</td>
<td>336-727-8000</td>
<td><a href="mailto:marca@cityofws.org">marca@cityofws.org</a></td>
<td>10/18/22</td>
<td>11:43 AM</td>
<td>Section 5.2.70.5.d.ii (Alternative Compliance): Application for alternative compliance shall include a site plan following the requirements of Section 3.2.11, Site Plan and any additional architectural plans, elevations, or perspective drawings to illustrate the proposed building design and/or placement alternative. Since you have provided elevations, you do not need building triangles.</td>
</tr>
<tr>
<td>19</td>
<td>Elevations</td>
<td>City of Winston-Salem</td>
<td>Marc Allred</td>
<td>336-727-8000</td>
<td><a href="mailto:marca@cityofws.org">marca@cityofws.org</a></td>
<td>10/18/22</td>
<td>11:43 AM</td>
<td>Need elevation of side of building</td>
</tr>
<tr>
<td>20</td>
<td>External Access Required</td>
<td>City of Winston-Salem</td>
<td>Marc Allred</td>
<td>336-727-8000</td>
<td><a href="mailto:marca@cityofws.org">marca@cityofws.org</a></td>
<td>10/18/22</td>
<td>11:43 AM</td>
<td></td>
</tr>
</tbody>
</table>
Section 7.4.B.3.a (External Access Required): All subdivisions shall be designed to have interconnecting streets to adjoining developed and undeveloped properties outside the subdivision for a consistent development pattern.

Show a connected street stub that is along the northern property line. Staff will recommend a public easement through the development to provide for the eventual connection with Pearl View Drive.

Would recommend eliminating gravel drive along the western portion of property as the offsite houses could be accessed using the streets with a public easement.

### 21. 15' Type II Bufferyard

If the gravel drive is removed along the western portion of property, then 15’ Type II Bufferyard on the western side can be removed.

Staff also recommends a 15’ Type II Bufferyard along Old Hollow Road instead of a 10’ Streetyard. This would provide a better buffer between Old Hollow Road and back of the townhomes along this street.

### 22. Dates of Importance

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Issue Resolution Deadline: October 27</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marc Allred</td>
<td>Community Outreach Deadline: November 2</td>
</tr>
<tr>
<td>336-727-8000</td>
<td>Planning Board Meeting: November 10</td>
</tr>
<tr>
<td><a href="mailto:marca@cityofws.org">marca@cityofws.org</a></td>
<td></td>
</tr>
<tr>
<td>10/18/22 12:03 PM</td>
<td></td>
</tr>
<tr>
<td>01.03) Rezoning-Special Use District - 2</td>
<td></td>
</tr>
</tbody>
</table>
16. Zoning

Please add our standard Site plan legend to the plan. The link to those is below:
https://www.cityofws.org/445/Legends

I'm not sure what the 25' Tree Save Buffer is? We have no requirement for that.

You are required to provide a common recreation area. I believe you have this listed as Common Open Space? The math is correct. A minimum of one hundred (100) square feet per unit shall be devoted to common recreation areas.

The total common recreation area may be divided into areas not less than four thousand (4,000) square feet each where the average length of the space does not exceed twice the average width.

Common recreation areas shall be easily accessible by pedestrian walkways so they can be conveniently and safely reached and used.

Please correct the plan to show Common Recreation Area and label on the plan where these are and their sf.

The min 15' Type II buffer is required to be shown along the entire property line adjacent to RS20 zoning. If there is ex. vegetation in those area and you will be taking credit for that you can note that on the plan. For the areas without vegetation either show or list the requirements per TABLE 6.3.2.A.3: TYPE II BUFFERYARD.

Check setbacks for the units per the requirements of RM-8

A detailed landscape plan including the buffers and MVSA landscaping for the commercial parking is not required for rezoning but will be needed when applying for the commercial plan review.

[Ver. 3] [Edited By Amy McBride]
November 2, 2022

NEIGHBORHOOD COMMUNICATION SUMMARY

F-1624

On October 19, 2022 we mailed 20 letters to property owners within 500 feet of the subject parcels. The letter explained our rezoning request, included a site plan sketch and invited the property owners to attend a neighborhood Zoom meeting on November 1, 2022 at 6:00 pm.

Our project representative received 2 emails in response to the letter simply requesting the Zoom link via email. We had 6 attendees log in and participate in the meeting and received 3 follow up contacts today from those attendees. The only question or area of focus for all questions and concerns has been the proposed treatment of the existing gravel easement that serves two residential parcels located just west of the subject property. At least one of these property owners is very opposed to the idea of having to drive through the townhome development in order to get to his property. We discussed this element of the site plan with the interested parties and explained the proposed post-development access plan was based on NCDOT’s concern about the safety of creating a 5-way intersection and also acknowledged we can continue to look at this issue based on feedback from affected neighbors and would try to work towards a mutually acceptable resolution.

SUBMITTED BY: Amanda Hodierne
November 2, 2022
October 19, 2022

Dear Neighbor:

Our company, YP Walkertown LLC, is under contract to purchase the property located at 0 Old Hollow Road, Kernersville (Parcel # 6867-59-9952), known as the E.M. Leight Property. We develop and build high quality residential communities all around North Carolina.

We would like to develop this property with a Class A residential townhome community. In order to carry out this plan, we are seeking rezoning of the property to allow for our intended use.

We have applied to Forsyth County to change the zoning district of all the above listed properties from RS-20 to RM-8 Special Use. The site plan associated with our request is enclosed here for your review.

In order to provide more information about our project and respond to any questions that you might have, we will host a neighborhood meeting via Zoom on Tuesday November 1, 2022 at 6:00pm. The zoom invite is included with this mailing.

We look forward to hearing your thoughts and questions as we move through the rezoning process. Please feel free to contact our project representative, Amanda Hodierne, with any questions you have about this request. Her direct phone number is 336-609-5137, or you can email her at amanda@isaacsonsheridan.com.

The Forsyth County /Winston Salem Joint Planning Board will meet to consider our request on Thursday, November 10th at 4:30 pm. The Planning Board meeting is held in person in the Public Meeting Room on the fifth floor of the Bryce A. Stuart Municipal Building located at 201 North Chestnut Street, Winston-Salem, NC 27101.

Sincerely,

Robin Yaun
Project Manager
Invitation to Community Zoom Meeting

Topic: Old Hollow Road Rezoning Meeting
Time: Nov 1, 2022 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
https://us02web.zoom.us/j/84410748464
Meeting ID: 844 1074 8464
One tap mobile
+13092053325,,84410748464# US
+13126266799,,84410748464# US (Chicago)

Dial by your location
+1 309 205 3325 US
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)
+1 646 931 3860 US
+1 301 715 8592 US (Washington DC)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 360 209 5623 US
+1 386 347 5053 US
+1 564 217 2000 US
+1 669 444 9171 US
+1 669 900 9128 US (San Jose)
+1 719 359 4580 US
Meeting ID: 844 1074 8464
Find your local number: https://us02web.zoom.us/u/kbZBMexSc
October 27, 2022

City-County Planning Board
100 East First Street
Winston-Salem, NC 27101

Dear Planning Board,

On behalf of the Town Council of the Town of Walkertown, please find below comments and concerns regarding the rezoning request presented in case F-1624:

- The requested zoning change from RS20 to RM8-S is inconsistent with the Walkertown Area Plan Update adopted by the Town of Walkertown and Forsyth County in 2014. The recommended land use in the Walkertown Area Plan for this respective property is Single-Family Residential. Considering that the proposed rezoning to allow multifamily units would create considerably higher residential density than what is allowed in the current zoning and recommended in the area plan, it is evident the request is not in the public's interest.

- The site plan, as proposed, is likely to create significant traffic safety issues along Old Hollow Road (NC 86). Westbound traffic along Old Hollow Road currently experiences substantial congestion and delays during peak hours. This proposed development will add further congestion to an already over-capacity roadway. The North Carolina Department of Transportation has no plans for improvements for this section of Old Hollow Road.

- The site plan proposes two new driveways on Old Hollow Road. Along with the existing gravel driveway on Old Hollow Road that will be retained, the proposed site plan includes three driveways for a single parcel. There is also a concern about the two driveway alignments with the Old 66 Circle intersection.

With these concerns for case F-1624, the Town of Walkertown recommends the denial of the rezoning request of RS20 to RM8-S and the attached site plan.

Sincerely,

Scott Snow
Manager
Town of Walkertown
336-595-4212
scottsnow@triad.rr.com
Zoning Case No.: F-1624

Property Address: 0 Old Hollow Road
Parcel Identification Number(s): 5867-59-9952

Hereinafter referred to as the "Property"

WRITTEN CONSENT TO CONDITIONS
PURSUANT TO 160D-703

1. I hereby certify that authority has been given to me, by all owners of the Property, to consent to the conditions of the special use district approval.

2. I hereby consent to the following conditions, as required by North Carolina General Statute 160D-703:

   • **PRIOR TO ISSUANCE OF ANY PERMITS:**
     a. The developer shall obtain a driveway permit from the North Carolina Department of Transportation; additional improvements may be required prior to issuance of the driveway permits. Additional improvements include:
        • Left and right turn lanes on Old Hollow Road at the development entrance.
        • Provide future proposed right-of-way dedication to NCDOT.
     b. Developer shall obtain all necessary permits from the North Carolina Department of Environmental Quality (NCDEQ) for stormwater management.

   • **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
     a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.

   • **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
     a. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
     b. Developer shall complete all requirements of the driveway permit(s).
     c. The developer shall install a 15-foot Type II bufferyard along the frontage of Old Hollow Road prior to the issuance of certificates of occupancy for adjacent buildings.

3. I acknowledge that this written consent is a condition precedent to placement of the Property into a special use district.
This the ___13th___ day of December 2022.

By: [Signature]

Name: Amanda Hodierne

Title: Attorney for Applicant

Date: 12/13/22

STATE OF NORTH CAROLINA
COUNTY OF North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Amanda Hodierne.

Notary Public: [Signature]

Printed Name: Erica Carson

Commission Expires: 3 - 6 - 2027