DOCKET #: W3041
(continued from 7/9/2009)

PROPOSED ZONING:
RM8-S (Two Phase)

EXISTING ZONING:
RS9, NO-S, RM8, and RM8-S

PETITIONER:
Arbor Arcres United Methodist Retirement Community Inc. for property owned by Same

SCALE: 1" represents 700'

STAFF: Roberts

GMA: 2

ACRES: 81.48

NEAREST BLDG: 45' west

MAP(S): 624862
August 26, 2009

Les Cranfill, Director of Properties Development
Arbor Acres United Methodist Retirement Community, Inc.
1240 Arbor Road
Winston-Salem, NC  27104

RE:  ZONING MAP AMENDMENT W-3041

Dear Mr. Cranfill:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

pc:  City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
Steve Causey, Allied Designs, 4720 Kester Mill Road, Winston-Salem, NC 27103
David Piner, Director of Arbor Acres, 303 Wake Drive, Winston-Salem, NC 27106
Valjean G. Griggs, 2512 Kirkwood Street, Winston-Salem, NC  27105
Olivia B. Thompkins, 910 W. 25th Street, Winston-Salem, NC  27105
Avis Hicks, 1005 W. 25th Street, Winston-Salem, NC  27104
Renita Linville, 5080 Ramilly Run, Winston-Salem, NC  27106
Constance Baker Dewberry, 902 W. 25th Street, Winston-Salem, NC  27105
<table>
<thead>
<tr>
<th>ACTION REQUEST FORM</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DATE:</strong> August 26, 2009</td>
</tr>
<tr>
<td><strong>TO:</strong> The Honorable Mayor and City Council</td>
</tr>
<tr>
<td><strong>FROM:</strong> A. Paul Norby, FAICP, Director of Planning</td>
</tr>
</tbody>
</table>

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of Arbor Acres United Methodist Retirement Community, Inc.

**SUMMARY OF INFORMATION:**

Zoning map amendment of Arbor Acres United Methodist Retirement Community, Inc. from RM-8-S, RM-8, NO-S, and RS-9 to RM-8-S (Life Care Community and Nursing Care Institution - TWO PHASE): property is located on the south side of Arbor Road across from Pilgrim Court (Zoning Docket W-3041).

**PLANNING BOARD ACTION:**

<table>
<thead>
<tr>
<th>MOTION ON PETITION:</th>
<th>APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOR:</td>
<td>UNANIMOUS</td>
</tr>
<tr>
<td>AGAINST:</td>
<td>NONE</td>
</tr>
<tr>
<td>SITE PLAN ACTION:</td>
<td>CONFORMS TO THE REQUIREMENTS OF THE UDO</td>
</tr>
</tbody>
</table>
CITY ORDINANCE - SPECIAL USE

Zoning Petition of Arbor Acres United Methodist Retirement Community, Inc., Docket W-3041

AN ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM, N.C.

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RM-8-S, RM-8, NO-S, and RS-9 to RM-8-S (Life Care Community and Nursing Care Institution - TWO PHASE) the zoning classification of the following described property:

PIN #s 6826-53-7206; 6823-74-0739 and 2821; 6826-64-1144, 6673, 6974, 7995, 8653, and 9914

Section 2. This Ordinance is adopted after approval of the site plan entitled Arbor Acres and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20___ to Arbor Acres United Methodist Retirement Community, Inc.

Section 3. The City Council 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 Arbor Acres. 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.
CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council
of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Arbor Acres United Methodist Retirement Community, Inc., (Zoning Docket W-3041). 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 RM-8-S (Life Care Community and Nursing Care Institution - TWO PHASE), approved by the Winston-Salem City Council the ______ day of __________________, 20____" and signed, provided the property is developed in accordance with requirements of the RM-8-S zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  a. Developer shall obtain a driveway permit from the City of Winston-Salem Public Works Department. Required improvements include, but are not limited to:
     • Widen Arbor Road with turn lanes and install curb and gutter and sidewalk as determined by WSDOT within the Phase One frontage of Arbor Road. Improvements along the Phase Two frontage of 25th Street shall be determined during the review of a Final Development Plan.
  b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.
  c. Developer shall cordon off all areas shown on the site plan as stream buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.
• PRIOR TO THE SIGNING OF PLATS:
  a. All documents including covenants, restrictions, and homeowners’ association agreements shall be recorded in the office of the Register of Deeds. Final plats must show common open space declarations.

• 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 lots, common areas, public streets, easements, and utilities.
  b. The proposed building shall be constructed in substantial conformance with the submitted elevations labeled “Exhibit A” as verified by Planning staff.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
  a. All required improvements of the City of Winston-Salem driveway permit shall be completed.
  b. All infrastructure at the end of Oriole Court to be completed to the City of Winston-Salem standards.

• OTHER REQUIREMENTS:
  a. Developer shall be required to provide a second access onto Arbor Road upon Final Development Plan approval within the Phase Two portion of the site.
  b. Within the Phase Two portion, developer shall provide a minimum 50’ building setback and a 50’ wide bufferyard containing the planting material required for a 15’ Type III bufferyard along the frontage of 25th Street.
CITY-COUNTY PLANNING BOARD
STAFF REPORT

PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3041</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Arbor Acres United Methodist Retirement Community, Inc</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #s 6826-53-7206; 6823-74-0739 and 2821; 6826-64-1144, 6673, 6974, 7995, 8653, and 9914</td>
</tr>
<tr>
<td>Address</td>
<td>1240 Arbor Road</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 Maps for the subject property from RS-9, NO-S (Professional Office), RM-8 and RM-8-S (Life Care Community and Nursing Care Institution) to RM-8-S (Residential, Multifamily; 8 units per acre maximum density) TWO PHASE. The petitioner is requesting the following uses:  
- Life Care Community and Nursing Care Institution – TWO PHASE |
| Continuance History | The request was continued from the July 9, 2009 Planning Board meeting to the August 13 meeting. |
| Zoning District Purpose Statement | The RM-8 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. |
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S) | (S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?  
Yes, the proposed request is located within GMA 3 and would have a residential density of less than 8 units per acre. |

GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>South side of Arbor Road across from Pilgrim Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Northwest</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately 81.48 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Arbor Acres United Methodist Retirement Community</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-9 &amp; LO-S</td>
<td>Offices and single family homes</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>RS-9</td>
<td>Single family homes</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>RS-12 &amp; C</td>
<td>Single family home &amp; Children’s Home campus</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>RS9-S &amp; RS-30</td>
<td>Single family homes</td>
<td></td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</td>
<td>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</td>
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<tr>
<td>Yes</td>
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</tbody>
</table>

| Physical Characteristics | The site has variable topography and generally slopes downward to the south. Some perimeter portions of the site remain undeveloped and are wooded. |
| Proximity to Water and Sewer | Public water and sewer are available. |
| Stormwater/Drainage | A stormwater study will be required prior to the issuance of a grading permit. |
| Watershed and Overlay Districts | The site is not within a water supply watershed. |

| Analysis of General Site Information | The majority of the site is currently developed with a large scale retirement community. The request would add +/-7 acres to the site which fronts along Arbor Road. The single family homes in this area have recently been removed with the exception of one. Overall, the site appears to have no development constraints and is suitable for the proposed improvements. |

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arbor Road</td>
<td>Collector Street</td>
<td>2,309’</td>
<td>2,100</td>
<td>NA</td>
</tr>
<tr>
<td>Proposed Access Point(s)</td>
<td>The site plan shows the continued use of the single access point onto Arbor Road.</td>
<td></td>
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<tr>
<td>Trip Generation - Existing/Proposed</td>
<td>No trip generation numbers available for the proposed TWO PHASE request.</td>
<td></td>
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<tr>
<td>Sidewalks</td>
<td>The Collector Street Plan &amp; Sidewalk and Pedestrian Facilities Plan requires sidewalks along Arbor Road.</td>
<td></td>
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<tr>
<td>Transit</td>
<td>Route 4 along Arbor Road and Pilgrim Court</td>
<td></td>
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<tr>
<td>Connectivity</td>
<td>The site currently has poor external connectivity with only one access point onto Arbor Road.</td>
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<tr>
<td>Traffic Impact Study (TIS)</td>
<td>Not required</td>
<td></td>
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</tr>
<tr>
<td>Analysis of Site Access and Transportation Information</td>
<td>Sidewalks, curb and gutter, and road widening will be required along the frontage of Arbor Road. Staff recommends a second access onto Arbor Road upon Final Development Plan approval within the Phase Two portion of the site.</td>
<td></td>
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</tbody>
</table>
## CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**
Growth Management Area 2 – Urban Neighborhoods

### Relevant Legacy Recommendations
- Legacy recommends expansion of services near where people live, including places of worship and other institutions in a manner that is compatible with surrounding uses.
- Legacy recommends quality infill development and greater residential densities where appropriate; neighborhood retail and community services; and historic preservation, rehabilitation and reuse of existing structures.

### Relevant Area Plan(s)
The site is not within the boundaries of an area plan or development guide.

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

- **(S)(3) - Have changing conditions substantially affected the area in the petition?**
  - No
- **(S)(4) - Is the requested action in conformance with Legacy?**
  - Yes

### Analysis of Conformity to Plans and Planning Issues
The request includes the addition of +/-7 acres to the site; the reconfiguration of some existing independent living units and parking areas; and the addition of an 8,339 sf Memory Care unit with additional parking. The request will consolidate multiple zoning lots into one site.

The site is not within the boundaries of an area plan or development guide. However, Legacy recommends the expansion of institutions near where people live in a manner that is compatible with surrounding uses. Arbor Acres blends well with the single family homes located across the street because of the large front yard setback and the dense plantings along Arbor Road. Staff recommends the continuation of this treatment along the eastern section of the site which is being added as a TWO PHASE area. See condition b. under Other Requirements which the petitioner has agreed to comply with.

### 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></td>
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<td></td>
<td></td>
<td>Staff</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>CCPB</td>
</tr>
<tr>
<td>W-2461</td>
<td>RM8-S Site Plan Amendment</td>
<td>Approved 5-7-01</td>
<td>Portion of current site</td>
<td>74.27</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2268</td>
<td>RS-9 to NO-S</td>
<td>Approved 1-4-99</td>
<td>Portion of current site</td>
<td>0.82</td>
<td>Denial</td>
</tr>
<tr>
<td>W-2120</td>
<td>RM8-S Site Plan Amendment</td>
<td>Approved 2-3-97</td>
<td>Portion of current site</td>
<td>74.27</td>
<td>Approval</td>
</tr>
<tr>
<td>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</td>
<td></td>
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<td>------------------------------------------</td>
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<tr>
<td><strong>Units (by type) and Density</strong></td>
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<tr>
<td><strong>Parking</strong></td>
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<tr>
<td>Required</td>
<td>Proposed</td>
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<td>259 spaces</td>
<td>548 spaces</td>
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<td><strong>Building Height</strong></td>
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<td>Maximum</td>
<td>Proposed</td>
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<td>45’</td>
<td>4 story</td>
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<tr>
<td><strong>Impervious Coverage</strong></td>
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<td>Maximum</td>
<td>Proposed</td>
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<tr>
<td>70%</td>
<td>30.7%</td>
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<tr>
<td><strong>UDO Sections Relevant to Subject Request</strong></td>
<td></td>
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</tr>
<tr>
<td>• Chapter B, Article II, Section 2-1.2 (L) RM-8 District</td>
<td></td>
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<tr>
<td>• Chapter B, Article II, Section 2-5.44 Life Care Community</td>
<td></td>
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<tr>
<td>• Chapter B, Article II, Section 2-5.56 Nursing Care Institution</td>
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<tr>
<td><strong>Complies with Chapter B, Article VII, Section 7-5.3</strong></td>
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<tr>
<td>(A) Legacy policies:</td>
<td>Yes</td>
<td></td>
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<tr>
<td>(B) Environmental Ord.</td>
<td>NA</td>
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<tr>
<td>(C) Subdivision Regulations</td>
<td>NA</td>
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<td></td>
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<tr>
<td><strong>Analysis of Site Plan Compliance with UDO Requirements</strong></td>
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<tr>
<td>The revised site plan complies with the requirements of the UDO.</td>
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</tbody>
</table>

**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>Request will allow for the expansion of an existing retirement community.</td>
<td>Until development within the second phase takes place, the site will continue to have only one access point.</td>
</tr>
<tr>
<td>Request is consistent with the RM-8 district purpose statement.</td>
<td></td>
</tr>
<tr>
<td>Request will consolidate multiple zoning lots into one site.</td>
<td></td>
</tr>
<tr>
<td>Request is consistent with Legacy.</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 a driveway permit from the City of Winston-Salem Public Works Department. Required improvements include, but are not limited to:
     • Widen Arbor Road with turn lanes and install curb and gutter and sidewalk as determined by WSDOT within the Phase One frontage of Arbor Road. Improvements along the Phase Two frontage of 25th Street shall be determined during the review of a Final Development Plan.
b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.

c. Developer shall cordon off all areas shown on the site plan as stream buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.

• PRIOR TO THE SIGNING OF PLATS:
  a. All documents including covenants, restrictions, and homeowners’ association agreements shall be recorded in the office of the Register of Deeds. Final plats must show common open space declarations.

• 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 lots, common areas, public streets, easements, and utilities.
  b. The proposed building shall be constructed in substantial conformance with the submitted elevations labeled “Exhibit A” as verified by Planning staff.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
  a. All required improvements of the City of Winston-Salem driveway permit shall be completed.
  b. All infrastructure at the end of Oriole Court to be completed to the City of Winston-Salem standards.

• OTHER REQUIREMENTS:
  a. Developer shall be required to provide a second access onto Arbor Road upon Final Development Plan approval within the Phase Two portion of the site.
  b. Within the Phase Two portion, developer shall provide a minimum 50’ building setback and a 50’ wide bufferyard containing the planting material required for a 15’ Type III bufferyard along the frontage of 25th Street.

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.
PUBLIC HEARING - July 9, 2009

Gary Roberts presented the staff report.

FOR:

Steve Causey, Allied Designs, 4720 Kester Mill Road, Winston-Salem, NC 27103
• Allied Designs assisted the petitioner with the site plan along with Jerry Weyker of Weyker and Associates.
• Stated for clarification that there was not an agreement to preserve the vegetation along 25th Street.
• Gary Roberts replied that was correct. The existing vegetation along Arbor Road where the facility already exists has been agreed upon to maintain. For the new RS-9 portion, the petitioner would do their best but basically that will be a Type III bufferyard.
• The petitioner will be adding vegetation to meet the requirements.
• Main purpose in the initial submittal was to facilitate the Memory Care addition and the small site revisions.
• The small revisions are for an increase of 2 residential units and a 12 bed addition to the Memory Care facility.
• The parking addition behind the Memory Care does not serve the Memory Care facility itself, but it’s purpose is for employee parking.
• We are below the maximum impervious surface coverage.

David Piner, Director of Arbor Acres, 303 Wake Drive, Winston-Salem, NC 27106
• There is great concern by Arbor Acres for the public presentation and how this impacts the surrounding neighborhood.
• Our proposal is to utilize the acreage that we have recently acquired for additional independent living, a continuation of our existing program.
• We have no desire to do anything along 25th street to alter the character for that neighborhood.

AGAINST:

Valjean G. Griggs, 2512 Kirkwood Street, Winston-Salem, NC 27105
• My parents have lived here for 63 years.
• Arbor Acres has co-existed with us for a while.
• My concern is the request to rezone the area for multifamily.
• We live in a single family residential section and it has been that way for over 63 years.
• The highest and best use for property has been proven to be single family dwellings.
• Arbor Acres has stated they are working with the community, however, within a month they tore down a building with a lot of history to the black community. The house of Dr. Albert Coleman, the first black urologist in Winston-Salem.
• The house of Dr. Smith, located beside Dr. Coleman’s, along with the house of Mrs. Greer were torn down within the last couple of weeks, both were prominent historical black families and both were in good condition.
• These were torn down to put multifamily homes and bring down the value of the property values in the community.
• The community wants to co-exist with Arbor Acres and sees the need for a retirement community.
• The concern is along the 25th Street side of the site there is not the 50 foot buffer that surrounds the other areas of the site.
• We want to keep our community an improved community.
• Please ask Arbor Acres to put single family houses on this property.

Olivia B. Thompkins, 910 W. 25th Street, Winston-Salem, NC 27105
• I have been a resident of this specific site in excess of 42 years. I raised my four daughters in this house. There is nothing wrong with our neighborhood.
• We do not need intrusion.
• We do not need anyone to try to help us to improve our living.
• I worked for 39.5 years for the two municipalities - the City and the County.
• My husband worked 36.5 years for the Housing Authority.
• We both have adequate income. We do not need any favors and we do not need any intrusion.
• My girls have been to college. They are a lawyer, a doctor, a teacher, and a child who has worked for the New York Times and CNN in New York city.
• Go somewhere where somebody needs you.
• Our yards are well kept, our houses are painted, and we have a nice view.
• We have about an acre where you can look and see buildings and green stuff.
• There have been single family homes ever since I’ve been there.
• Persons like Mr. Ed Hill and others lived there. All of those people had families.
• We had family gatherings and neighborhood gatherings.
• No one in my neighborhood wants what is about to happen.
• We were told that nothing would be done with the properties they harassed people to buy. The people didn’t want to sell their homes. Mrs. Greer said she never wanted her home to get out of her family. I’m the same way. I don’t want my home out of my family.
• All I want is peace and to be left alone, but I get calls not only from the people at Arbor Acres, but from persons who have been asked to call to encourage us to sell our property.
• Where are we going to move to? Arbor Road? I don’t think so.
• If we were so needed, why didn’t they take all of 25th Street?
• If there is any compassion among this group, leave our community zoned as it. It’s been zoned that way all of these years. Zoning is not going to make any improvement if you don’t put some muscle, some money, and some might into it. It will remain the same.
• I hope if one of my children would like to come back to stay here, they would be able to do so in peace.
• I urge you to leave our community as is.

Avis Hicks, 1005 W. 25th Street, Winston-Salem, NC 27104
• I talked with Mr. Piner briefly.
• I think it would have been more appropriate if he had sat down and not go into detail, but just elaborate a little bit more on what he’s trying to do so the neighborhood would actually understand what he’s trying to do.
• Right now we only see that he’s going to put a fence up there and some multi-development.
• We don’t know how close they’re going to be. We don’t know how much they’re going to cost. We don’t even know how they’re going to look.
• The only thing we know is that they tore down historical houses that meant a lot to people, especially to young people and people who came before us and paved the road for us.
• Doctors, lawyers, and ministers live in this area. That’s one of the reasons I moved there. My house happened to be the oldest house on the street and I am the youngest person in the neighborhood.
• I’m not against development, but I would just like to know how close they’re going to be, how much they’re going to cost, how much it’s going to make my house look small compared to what they’re going to make, what they’re actually going to do.
• If they’re going to do something over $800,000, I think they should give me a grant to bring my house up to the standards of theirs.
• Are they going to put houses over there? Are they going to put swimming pools over there? I think we should know something about what’s five feet away from us.

Renita Linville, 5080 Ramilly Run, Winston-Salem, NC  27106
• This rezoning opens the door for Arbor Acres to change a well established, well-respected community. This community is rich in history. This is not a change for the better, but for the worse. We need to keep this community one that families can continue to live in, raise their children, develop relationships and remain a neighborhood.
• The citizens need you to protect the quality of life that is currently there.
• It is a neighborhood of single family homes and always has been. Young parents and older parents live here.
• Here you have a neighborhood and you don’t have to spend any money to create it. All you have to do is protect it.
• Our city has spent thousands of dollars trying to create neighborhoods downtown. We’re asking you to protect a neighborhood that already exists.
• We need neighborhoods to stay neighborhoods.
• We need affordable housing. In this neighborhood you have affordable housing.
• This neighborhood consists of working middle class people.
• We would ask that you deny this petition.

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. Paul Norby noted that while this request was being heard, he received two e-mails which came into our office while the meeting was being conducted. They strongly oppose the street improvements called for along Arbor Road with this rezoning. He cited the reasons given in their e-mails.
2. Wesley Curtis noted that the neighbors don’t understand what is being planned for this site. Steve Causey stated that with the two-phase zoning request, the developer has to come back to this board when that site is developed. Mr. Piner said that attempts have been made to communicate what was going on with the surrounding residents.

3. Paul Mullican: These ladies have spoken their concern. Is there something we can do to help this out? The petitioner offered to continue the request for one month to meet with the community and explain what is proposed.

4. Wesley Curtis observed that it is a two phase request, but to make it more clear for the neighbors it would be worth continuing it a month and allowing both sides to discuss the plans.

MOTION: Wesley Curtis moved continuance of the zoning map amendment and site plan to August 13, 2009.
SECOND: Clarence Lambe.
VOTE:
   FOR: Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Darryl Little, Lynne Mitchell, Paul Mullican, Brenda Smith
   AGAINST: None
   EXCUSED: None

PUBLIC HEARING - August 13, 2009

Gary Roberts presented the staff report.

The public hearing was held and closed at the last public hearing meeting. However, the Board agreed to reopen the public hearing and allow five minutes for each side to report on the meetings.

FOR:

David Piner, 303 Wake Drive, Winston-Salem, NC 27106
• Thanked Planning Board for the continuance and thanked Valjean Griggs who spoke to the Board last time and played a significant role in getting word to the neighborhood and coordinating the meeting.
• The meeting was beneficial. We have not managed to allay all the concerns but I do hope we’ve managed to reach some greater understanding.
• The concerns that I heard expressed had to do with the visual impact on the street frontage. We are contemplating fencing along that area.
• Another concern was that we not put commercial structures along West 25th Street. I was able to assure neighbors that Arbor Acres has been committed all along to try to beautify what it does.
• We’ve worked hard to place our structures below the horizon line so they would not impact the residential neighborhood.
• Arbor Acres values this area as a residential area.
• There is sadness that I am aware of and feel watching this neighborhood age and change.
• There has been a history of transition and we have worked with the neighborhood in trying to address some deterioration that has occurred as houses are left vacant and deteriorated.
• We keep records of calls to 911 and those are less than once a week.

Constance Baker Dewberry, 902 W. 25th Street, Winston-Salem, NC  27105
• I have lived here for more than 25 years.
• When I first bought the home the area was a type of utopia within the City. There were a lot of elderly people who exhibited a lot of pride in their homes.
• Since that time things have changed. Investors have bought property and since they don’t live on the site, the sites are not kept up as well as they were.
• I support what Arbor Acres is doing, because of the need that I know that the community has as well as the greater society in reference to elder care.
• This is an opportunity for the community to regain the history that they have lost with the passing of those who maintained their property.
• Mr. Piner and Arbor Acres have always been a good neighbor to me.
• I do support what they are trying to do.

AGAINST:

Olivia B. Thompkins, 910 West 25th Street, Winston-Salem, NC  27105
• I have nothing against Arbor Acres and I applaud them for what they are doing.
• However, I do not applaud them for what they are doing to me.
• I have lived here for 42 years.
• There was nothing wrong with our neighborhood that called for changes to come in.
• The beneficiaries of one piece of property were not united in what they ought to do. One of them decided to never sell the property. He did not maintain it.
• Our neighborhood is good. There is nothing wrong with it.
• I know what urban renewal did to East Winston. It has ended up as apartments, buildings, not residences. I don’t want that to happen to my home or near me.
• Arbor Acres is next door to me as far as land is concerned.
• Eight houses are proposed for this edge. We were told some time ago that it would be ten years before building would start.
• A building for more sick people is going to be right next door to my land.
• I will get more sirens from the fire trucks and ambulances. It’s depressing to listen to that. I know none of you would want to listen to that all the time.
• Our neighborhood needs to be maintained as a family-oriented neighborhood with our schools in place. I understand they want to tear down Paisley school and build on that property.
• Arbor Acres owns many acres of land. Why can’t they go there? Is it so important that they be along 25th Street?
• I don’t like it and don’t think we’re being treated fairly.
• I don’t know where this young lady lives, but I haven’t had the relationship with her that I have with my neighbors.
• Please be considerate of the long-term neighbors in this property.
Renita Linville, 5080 Ramilly Run, Winston-Salem, NC 27106
• This is my neighborhood also.
• This neighborhood is a true neighborhood. It still has a lot of life and that needs to be preserved.
• Our concern is that this site does not include so much commercial that it changes the character of the neighborhood.
• If Arbor Acres wants to help the community, maybe they should consider putting an Alzheimer's unit or a health care facility in another place.
• We would simply request that any type of health care facility not be allowed on this property.
• Every real estate owner should have the right to quiet.

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. The overall density will be less than three units per acre. The current zoning would allow higher density. Ambulances could be called to the neighborhood as often as to Arbor Acres. We have to decide on the facts even though we understand the difficulty of seeing the neighborhood change.

2. Thank you to the developer for meeting with the neighborhood and taking what steps were possible to work with the neighborhood and allay any fears. Thank you also to the petitioner for extending the buffer.

3. Before more development in this area, they would have to come back to this board and neighbors would have another chance to talk about what’s going to happen.

4. Arbor Acres has a positive track record. They will keep that with this development.

5. It is not necessary for an ambulance or fire truck to use sirens in neighborhoods, so there is opportunity for consideration of that situation.

6. This is a retirement community so the buildings are going to be single story.

7. There is a significant need for memory care units in this community. Placing these facilities in neighborhoods rather than institutional settings seems to be very helpful to residents.

8. This a two phase request and there will be ways to address the issues that have been mentioned. They are not relative to the portion we are considering today.

9. Unfortunately neighborhoods change as does property ownership. Trying to accommodate the various needs of the society include trying to use all the resources available within the society.
10. Unless someone is willing to buy this land and return it to the way it was 15 years ago, there isn’t much chance of it going back to the type of neighborhood it was. We have to move forward.

MOTION: Lynne Mitchell moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Paul Mullican

VOTE:
FOR: Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Darryl Little, Lynne Mitchell, Paul Mullican, Brenda Smith
AGAINST: None
EXCUSED: None

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A. Paul Norby, FAICP
Director of Planning