DOCKET #: W2874

PROPOSED ZONING:
RM18-S (Residential Building, Multifamily)

EXISTING ZONING:
RS9 and RM18-S

PETITIONER:
BRC Burke Mill LLC; Carl D. Edwards and Nancy A. Edwards for property owned by Same

SCALE: 1" represents 400'
STAFF: Roberts
GMA: 3
ACRE(S): 16.2
MAP(S): 612842, 612838, 606842, 606838
July 26, 2006

BRC Burke Mill, LLC
c/o Christopher Dunbar
5826 Samet Drive, Suite 105
High Point, NC  27265

RE:    ZONING MAP AMENDMENT W-2874

Dear Mr. Dunbar:

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
       H. David Niblock, Craige Brawley Lipfert & Walker, 110 Oaklawn Drive, Suite 300,
       Winston-Salem, NC  27103
ACTION REQUEST FORM

DATE: July 26, 2006
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Map Amendment of BRC Burke Mill LLC; Carl D. Edwards and Nancy A. Edwards

SUMMARY OF INFORMATION:

Zoning Map Amendment of BRC Burke Mill LLC; Carl D. Edwards and Nancy A. Edwards from RS-9 and RM-18-S (Residential Building, Multifamily) to RM-18-S (Residential Building, Multifamily): property is located on the west side of Griffith Road and south side of Burke Mill Road (Zoning Docket W-2874).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: JERRY CLARK, WESLEY CURTIS, ARNOLD KING, ARTHUR KING, CLARENCE LAMBE, LYNNE MITCHELL, PAUL MULLICAN
AGAINST: CAROL EICKMEYER
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO
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 RS-9 and RM-18-S (Residential Building, Multifamily) to RM-18-S (Residential Building, Multifamily) the zoning classification of the following described property:

Tax Block 3935, Tax Lots 8B, 22A, 22B, 023, 024, and 105

Section 2. This Ordinance is adopted after approval of the site plan entitled Burke Ridge Crossing/BRC Burke Mill-LLC; Carl Edward and Nancy A. Edwards and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of ________________, 20___ to BRC Burke Mill LLC; Carl D. Edwards and Nancy A. Edwards.

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 Burke Ridge Crossing/BRC Burke Mill-LLC; Carl Edward and Nancy A. Edwards. 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 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 BRC Burke Mill LLC; Carl D. Edwards and Nancy A. Edwards, (Zoning Docket W-2874). 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-18-S (Residential Building, Multifamily), 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-18-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 have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department.
  b. Developer shall obtain driveway permits from The City of Winston-Salem.

• 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. Additional right-of-way shall be dedicated for the proposed Burke Mill realignment bond project.
  b. Developer shall substantially comply with the submitted building elevations as shown on Exhibit A, as verified by Planning Staff.

• 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.
  b. Plat shall meet all applicable requirements of UDO 142 and UDO 148.
• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. Sidewalks shall be provided along the frontage of Griffith and Burke Mill Roads.
  b. Developer shall install curb and gutter along the frontage of Griffith Road.
  c. Developer shall install a 48’ x 40’ T-turnaround and also provide a Fire Department Connection within 100 feet of a hydrant.

• OTHER REQUIREMENTS
  a. Trees within street yards, buffeyards and motor vehicle parking areas shall be of a large variety as defined in UDO Section 3-4.10, where no conflict occurs with overhead utility lines. Plan shall be submitted to the Inspections Division of the City of Winston-Salem for approval.
## CITY-COUNTY PLANNING BOARD STAFF
### STAFF REPORT FOR: Docket # W-2874
#### July 13, 2006

<table>
<thead>
<tr>
<th><strong>PETITION INFORMATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Docket #</strong></td>
</tr>
<tr>
<td><strong>Staff</strong></td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 Residential, Single Family District; 9,000 sf minimum lot size and RM18-S Residential, Multifamily District up to 18 units/acre (Residential Building, Multifamily) to RM18-S Residential, Multifamily District; maximum density 18 units per acre. The petitioner is requesting the following uses:

- Residential Building, Multifamily

Note: A portion of the site was rezoned from RS-9 to RM18-S in 2005 and a larger portion of the site, 13.96 acres, was rezoned from RS-9 and RM18-S to RM18-S to allow 192 multifamily units in February 2006 (W-2828). The subject request retains the fundamental design of the previously approved petition with the addition of four 12 unit multifamily buildings located on the southern section of the site which is currently zoned RS-9.

<table>
<thead>
<tr>
<th><strong>Zoning District Purpose Statement</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The RM-18 District is primarily intended to accommodate multifamily uses at a maximum overall density of eighteen (18) units per acre. This district is appropriate for Growth Management Areas 1 and 2, and may be suitable for Growth Management Area 3 and activity centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available and the site has direct access to a minor or major thoroughfare.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(S)(I) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</td>
</tr>
<tr>
<td>Yes</td>
</tr>
</tbody>
</table>

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th><strong>Location</strong></th>
<th>South side of Burke Mill Road and west side of Griffith Road</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Jurisdiction</strong></td>
<td>Winston-Salem</td>
</tr>
<tr>
<td><strong>Ward(s)</strong></td>
<td>South</td>
</tr>
<tr>
<td><strong>Site Acreage</strong></td>
<td>Approximately ± 16.2 acres</td>
</tr>
</tbody>
</table>
Site is primarily undeveloped with some residential structures and associated accessory buildings shown as to be removed.

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>LB-S and RS-9</td>
<td>Single family homes</td>
</tr>
<tr>
<td>East</td>
<td>RS-9</td>
<td>Single family homes</td>
</tr>
<tr>
<td>South</td>
<td>RS-9</td>
<td>Single family homes</td>
</tr>
<tr>
<td>West</td>
<td>RS-9</td>
<td>Undeveloped and single family homes</td>
</tr>
</tbody>
</table>

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

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

The proposed residential use is of a higher density than the surrounding single family residential homes.

**Physical Characteristics**

A large portion of the site contains mature woodlands and low growth vegetation. The site slopes downward moderately to the south.

**Proximity to Water and Sewer**

Public water and sewer are available to the site.

**Stormwater/Drainage**

The site plan illustrates all proposed stormwater to be routed to a proposed wet detention pond located behind building #8 at the southwestern portion of the site. A stormwater management study was required as a condition to the previous RM18-S and RS-9 to RM18-S rezoning on a portion of the subject property.

**Watershed and Overlay Districts**

The site is not within a water supply watershed.

**Analysis of General Site Information**

Site is suitable for the proposed improvements.

**Generalized Recommended Conditions**

- Developer shall obtain a grading permit.
- Developer shall submit a stormwater management study.

**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>Griffith Road</td>
<td>Minor Thoroughfare</td>
<td>946’</td>
<td>5,100</td>
<td>16,100</td>
</tr>
<tr>
<td>Burke Mill Road</td>
<td>Minor Thoroughfare</td>
<td>273’</td>
<td>4,900</td>
<td>16,100</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

Griffith Road and Burke Mill Road

**Planned Road Improvements**

Burke Mill Road connects S. Stratford and Hawthorne Roads and serves both residential and commercial development. A realignment of Burke Mill from Griffith Road to S. Stratford Road is currently awaiting construction.
| **Trip Generation - Existing/Proposed** | Trip Generation/Existing Zoning: RM18-S and RS-9  
192 units x 6.59 (Multifamily Trip Rate) = 1,265 Trips per Day + 2.24 acres (RS-9) x 43,560 / 9,000 = 10 units x 9.57 (SFR Trip Rate) = 96 Trips per Day = 1,361 Total Trips per Day  
Trip Generation/Proposed Zoning: RM18-S  
240 units x 6.59 (Multifamily Trip Rate) = 1,582 Trips per Day |
| **Sidewalks** | The site plan submitted with this request shows internal sidewalks throughout the development as well as sidewalks along both public road frontages. |
| **Transit** | Route 43 runs along Burke Mill Road adjacent to the subject property. |
| **Connectivity** | The proposed site plan provides two points of ingress/egress - one on Griffith Road and one Burke Mill Road. The access point onto Burke Mill Road will be altered to coordinate with the realignment of Burke Mill Road. Staff has requested and emphasized the importance of having an east-west public street connection from Griffith Road through the subject property to allow a connection to the large amount of undeveloped land to the west of this site. The proposed site plan includes a public access easement connecting to the property to the west. |
| **Traffic Impact Study (TIS)** | Because this is a residential request, no TIS is required by ordinance. However during the previous rezoning for the majority of the subject property, a TIS was submitted as requested by the Public Works Department and WSDOT. |
| **Analysis of Site Access and Transportation Information** | Access to the site is adequate. |
| **Generalized Recommended Conditions** | BRIEF DESCRIPTION OF CONDITION(S):  
- Obtain driveway permit from WSDOT |

### SCHOOL DISTRICT INFORMATION

<table>
<thead>
<tr>
<th>Schools Serving Zoning Site</th>
<th>Project Students From Project</th>
<th>2006-2007 Enrolled Students</th>
<th>2006-2007 Projected Students w/Accumulated Totals</th>
<th>School Capacity</th>
<th>Number of Mobile Classrooms on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward ES</td>
<td>107</td>
<td>852</td>
<td>959</td>
<td>601</td>
<td>4</td>
</tr>
<tr>
<td>Clemmons MS</td>
<td>54</td>
<td>1,168</td>
<td>1,222</td>
<td>690</td>
<td>16</td>
</tr>
<tr>
<td>Parkland HS</td>
<td>72</td>
<td>1,674</td>
<td>1,746</td>
<td>1,100-1,452</td>
<td>10</td>
</tr>
</tbody>
</table>
### Legacy GMA
-Growth Management Area 3 (Suburban Neighborhoods)-

### Relevant Legacy Recommendations

Legacy states that: “Creating a more “compact pattern of development” will necessitate increasing the overall density and intensity of residential and commercial development in areas with public sewer, good roads and other urban services.” (p. 28).

### Relevant Area Plan(s)

-South Stratford Road Development Guide (1989)-

### Area Plan Recommendations

The Guide notes Burke Mill Road realignment at the northern section of the site to intersect with Atwood Road at South Stratford Road. The Guide also recommends intermediate density residential 9-12 units/acre on the northern portion of the site and low density 0-5 units/acre for the remaining portion of the site.

### 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?

13.96 acres of the subject property was rezoned from RS-9 and RM18-S to RM18-S in February of 2006.

(S)(4) - Is the requested action in conformance with Legacy?

Yes

### Analysis of Conformity to Plans and Planning Issues

A portion of the site was rezoned from RS-9 to RM18-S in 2005 and a larger portion of the site, 13.96 acres, was rezoned from RS-9 and RM18-S to RM18-S to allow 192 multifamily units in February 2006 (W-2828). Planning staff recommended approval of said requests and the previous RS-9 to RM18-S request provided that an east-west public access easement is included to provide improved access to a relatively large area of undeveloped property located to the west. This connection was provided and is shown on the proposed site plan. The subject request retains the fundamental design of the previously approved petition with the addition of four 12-unit multifamily buildings located on the southern section of the site which is currently zoned RS-9. The inclusion of said RS-9 portion is also consistent with Planning staffs previous recommendation in order to permit a more comprehensive development of the site.

### 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>W-2828</td>
<td>RM18-S and RS-9 to RM18-S (Residential Building, Multifamily)</td>
<td>Approved 2-6-06</td>
<td>Included portion of current site</td>
<td>13.96</td>
<td>Approval</td>
</tr>
</tbody>
</table>

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W-2874 July 2006

9
| W-2771 | RS-9 to RM18-S | Approved 8-15-05 | Included portion of current site | 12.32 | Approval | Approval |
| W-2746 | RS-9 to PB-S (Services, Personal) | Approved 1-25-2005 | 500’ north | 0.52 | Approval | Approval |

**SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS**

<table>
<thead>
<tr>
<th>Units (by type) and Density</th>
<th>14.93 multifamily residential units/acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking</td>
<td>Required</td>
</tr>
<tr>
<td></td>
<td>420 spaces</td>
</tr>
<tr>
<td>Building Height</td>
<td>Maximum</td>
</tr>
<tr>
<td></td>
<td>60’</td>
</tr>
<tr>
<td>Impervious Coverage</td>
<td>Maximum</td>
</tr>
<tr>
<td></td>
<td>80%</td>
</tr>
<tr>
<td>UDO Sections Relevant to Subject Request</td>
<td>• Chapter B, Article II, Section 2-1.3 (N) RM-18 District</td>
</tr>
<tr>
<td></td>
<td>• Section 2-5.64 Residential Building, Multifamily; Residential Building, Townhouse; or Residential Building, Twin Home Use Conditions</td>
</tr>
<tr>
<td>Complies with Chapter B, Article VII, Section 7-5.3</td>
<td>(A) Legacy policies: Yes</td>
</tr>
<tr>
<td></td>
<td>(B) Environmental Ord. N/A</td>
</tr>
<tr>
<td></td>
<td>(C) Subdivision Regulations N/A</td>
</tr>
<tr>
<td>Analysis of Site Plan Compliance with UDO Requirements</td>
<td>Site plan meets UDO requirements.</td>
</tr>
<tr>
<td>Generalized Recommended Conditions</td>
<td>BRIEF DESCRIPTION OF CONDITION(S):</td>
</tr>
<tr>
<td></td>
<td>• Developer shall record a final plat in the office of the Register of Deeds.</td>
</tr>
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</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>Site is a suitable location for increased infill density. Proposal would permit a more comprehensive development of the subject property than permitted under the current zoning.</td>
<td>The increased residential density will increase the vehicular trips in the area by approximately 221 trips per day.</td>
</tr>
</tbody>
</table>
## SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

### PRIOR TO THE ISSUANCE OF GRADING PERMITS
- a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department.
- b. Developer shall obtain driveway permits from the City of Winston-Salem.

### PRIOR TO THE ISSUANCE OF BUILDING PERMITS
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- b. Developer shall substantially comply with the submitted building elevations as shown on Exhibit A, as verified by Planning Staff.

### 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.
- b. Plat shall meet all applicable requirements of UDO 142 and UDO 148.

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### OTHER REQUIREMENTS
- a. Trees within street yards, bufferyards and motor vehicle parking areas shall be of a large variety as defined in UDO Section 3-4.10, where no conflict occurs with overhead utility lines. Plan shall be submitted to the Inspections Division of the City of Winston-Salem for approval.

### 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

FOR:  None

AGAINST:  None

WORK SESSION

MOTION:  Clarence Lambe 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:  Jerry Clark, Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican
  AGAINST:  Carol Eickmeyer
  EXCUSED:  None

Written comments submitted by Planning Board members:

Carol Eickmeyer:  The design needs to be adjusted to have the street on this property align with the drive from the retirement community. Doing this will make the traffic on Griffith Road more manageable. We really need to be conscious of traffic on these streets.

________________________
A. Paul Norby, FAICP
Director of Planning