DOCKET #: W2932
(continued from 6/14/07)

PROPOSED ZONING:
RS9-L

EXISTING ZONING:
RS9-S

PETITIONER:
Gordon Blevins and Maggi Blevins for property owned by Same

SCALE: 1" represents 400'

STAFF: Beckom

GMA: 2

ACRES: 1.56

NEAREST BLDG: 20' east

MAP(S): 612862

Printed: 5/15/2007
August 22, 2007

Gordie D. Blevins and Maggie V. Blevins
P. O. Box 706
Red Lodge, MT 59068-0706

RE: ZONING MAP AMENDMENT W-2932

Dear Mr. and Ms. Blevins:

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
William Rabil, 3600 Country Club Road, Suite 100, Winston-Salem, NC 27104
Sandra Chitty, 2830 St. George Road, Winston-Salem, NC 27106
Annie Mueller, 2851 St. George Road, Winston-Salem, NC 27106
Shannon Beach, 2960 St. Clair Road, Winston-Salem, NC 27106
Dianne Cox, 2860 St. George Road, Winston-Salem, NC 27106
Lynn Johnson, 1221 Stadler Ridge, Winston-Salem, NC 27106
Vicky Rudy, 2871 St. George Road, Winston-Salem, NC 27106
Alice Morley, 2931 Good Hope Road, Winston-Salem, NC 27106
Robert Treble, 2701 St. Clair Road, Winston-Salem, NC 27106
Harry Spilman, 2860 Holyoke Place, Winston-Salem, NC 27106
Dan O'Hara, 2861 Saint George Road, Winston-Salem, NC 27106
John Harrison, 3035 St. Claire Road, Winston-Salem, NC 27106
Wayne H. Linville, 3011 Saint Claire Road, Winston-Salem, NC 27106
Philip Boutwell, 1217 Stadler Ridge, Winston-Salem, NC 27106
Doug Turner, 1256 Stadler Ridge Road, Winston-Salem, NC 27106
Donna McGuiness, Stadler Ridge & Silas Ridge Road, Winston-Salem, NC 27106
ACTION REQUEST FORM

DATE: August 22, 2007
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 Gordon D. Blevins and Maggi S. Blevins

SUMMARY OF INFORMATION:

Zoning Map Amendment of Gordon D. Blevins and Maggi S. Blevins from RS-9-S (Residential Building, Single Family) to RS-9-L (Residential Building, Single Family): property is located on the south side of Good Hope Road, south of Saint George Road (Zoning Docket W-2932).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL.
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED
CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of Gordon D. Blevins and Maggi S. Blevins,
Docket W-2932

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-S (Residential
Building, Single Family) to RS-9-L (Residential Building, Single Family) the zoning
classification of the following described property:

Tax Block 3424, Tax Lots 105

Section 2. This Ordinance is adopted after approval of the Special Use Limited District
Permit issued by the City Council the ______ day of __________________, 20___ to Gordon
D. Blevins and Maggi S. Blevins.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District
Permit pursuant to the Zoning Ordinance of the Unified Development Ordinances for a
development to be known as Gordon D. Blevins and Maggi S. Blevins. Said Special Use
Limited District Permit with conditions is 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 Limited District Permit for the zoning petition of Gordon D. Blevins and Maggi S. Blevins, (Zoning Docket W-2932). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Residential Building, Single Family, approved by the Winston-Salem City Council the _____ day of _________________, 20____ and signed, provided the property is developed in accordance with requirements of the RS-9-L 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. If existing vegetation is to be utilized to meet the 20’ minimum Type I bufferyard requirement, it shall be cordoned off prior to the issuance of any Grading Permits.
  b. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.

• **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. A Final Plat shall be recorded in the Office of the Register of Deeds.

• **PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMITS:**
  a. A 20’ minimum Type I bufferyard shall be installed and/or maintained along the subject properties:
     ▪ Western border with Tax Block 6140, Tax Lot C and Tax Block 3424, Tax Lot 17V;
     ▪ Eastern border with Tax Block 2910, Tax Lots 6 and 7; and
     ▪ Northern border with Tax Block 3424, Tax Lots 17C and 17E.
  b. The 20’ minimum Type I bufferyard shall be installed as described above. Any existing vegetation that has been maintained to meet this requirement may require additional plantings to meet the Type bufferyard requirement.

• **OTHER REQUIREMENTS:**
  a. The subject property may be subdivided into a maximum of three (3) lots on the 1.56 acres.
# CITY-COUNTY PLANNING BOARD  
## STAFF REPORT

### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2932</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Jesse Beckom III</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Gordon Blevins and Maggi Blevins</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 105 /Tax Block 3424</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use - Limited Rezoning</td>
</tr>
</tbody>
</table>

**Petition Information**

- The petitioner is requesting to amend the Official Zoning Maps for the subject property from **RS9-S** to **RS9-L** Residential, Single Family District, Limited Uses; 9,000 sf minimum lot size. The petitioner has volunteered the following restrictions:
  - Maximum of three (3) lots on the 1.56 acres; and
  - Each home will be a minimum of 1,600 square feet of heated space. **NOTE:** Based on past practices and the way in which this restriction would need to be enforced [deed restrictions], we have been advised that this is a matter best left between the neighborhoods and the petitioner and thus will **NOT** be a recommended condition of approval.**

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

### Zoning District Purpose Statement

- The RS-9-L district is primarily intended to accommodate relatively high density single family detached dwellings in urban areas. This district is intended for application in GMAs 2 and 3 and may be suitable in 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 request is consistent with the purpose statement and is located in the appropriate area.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>South side of Good Hope Road, south of Saint George Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Northwest Ward</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 1.56 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The area is currently undeveloped.</td>
</tr>
<tr>
<td>Surrounding Property Zoning and Use</td>
<td>Direction</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>South</td>
</tr>
<tr>
<td></td>
<td>East</td>
</tr>
<tr>
<td></td>
<td>West</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</th>
<th>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes, the proposed residential use is compatible with the surrounding residential uses located in the area.</td>
</tr>
</tbody>
</table>

| Physical Characteristics | The site contains a gentle topography that slopes down from the northeast to the southwest. There is a stream that runs down the western part of the site. |
| Proximity to Water and Sewer | The subject property will be served by public water and public sanitary sewer. |

| Stormwater/Drainage | No known issues |
| Analysis of General Site Information | This site appears to be adequate for development allowed in the requested RS-9-L District. |

<table>
<thead>
<tr>
<th>SITE ACCESS AND TRANSPORTATION INFORMATION</th>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saint George Rd</td>
<td>Local Road</td>
<td>50’</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Good Hope Rd</td>
<td>Local Road</td>
<td>50’</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

| Proposed Access Point(s) | Site would be accessed off of Saint George Road. |
| Planned Road Improvements | There are no planned road improvements for this area. |

| Trip Generation - Existing/Proposed | Existing Zoning: RS-9S - The current site plan shows this area as not to be developed on resulting in 0 Trip Generation. |
|                                    | Proposed Zoning: RS9-L - Limited to 3 lots as volunteered by the petitioner = 3 units x 9.57 (SFR Trip Rate) = 29 Trips Per day |

| Sidewalks | Sidewalks are located in the general area. |
| Transit | Not available |

| Analysis of Site Access and Transportation Information | Access to the site is adequate. |
### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th><strong>Legacy GMA</strong></th>
<th>Growth Management Area 2, Urban Neighborhoods.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Relevant Legacy Recommendations</strong></td>
<td>- Manage growth by making more efficient use of land that has already been developed, encouraging reuse and infill and capitalizing on other development opportunities. Older urban and suburban neighborhoods should be reinforced as good places to live and do business. (p.25)&lt;br&gt;- Protect existing neighborhoods through the creation of opportunities and incentives for their rehabilitation, redevelopment, and revitalization. (p. 123)&lt;br&gt;- This area (the Municipal Services Area) has the most undeveloped land where much of the future residential, commercial and industrial development should occur. This area is appropriate for future urban and suburban development. (p. 30)</td>
</tr>
<tr>
<td><strong>Relevant Area Plan(s)</strong></td>
<td>Polo-Reynolda Area Plan (1985).</td>
</tr>
<tr>
<td><strong>Area Plan Recommendations</strong></td>
<td>- The Polo-Reynolda Area Plan recommends the site for low density residential development (0-5 units per acre).</td>
</tr>
<tr>
<td><strong>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</strong></td>
<td>(S)(3) - Have changing conditions substantially affected the area in the petition? &lt;br&gt;<strong>No</strong>&lt;br&gt;(S)(4) - Is the requested action in conformance with Legacy? &lt;br&gt;<strong>Yes</strong></td>
</tr>
<tr>
<td><strong>Analysis of Conformity to Plans and Planning Issues</strong></td>
<td>The subject property is located within the Polo-Reynolda Area Plan, which recommends the site for low density residential development (0-5 units per acre). Legacy recommends this area for future urban and suburban development. The property fronts onto Saint George Road which is a local road and water and sewer are available. The site is adjacent to RS-9 zoned property to the north, east and west, and RS-9-S zoned property to the south and southwest. The proposed RS-9-L District, with a volunteered limitation of three (3) dwelling units, is within the low density range, compatible with the surrounding zoning districts, and the recommendations of Legacy and the existing area plan. To provide some protection to the adjacent neighborhoods and to satisfy some of the issues raised by neighbors and Planning Board members at the June 14, 2007 Public Hearing, Planning staff would recommend an additional condition requiring a 20’ minimum Type I bufferyard along the subject property’s:&lt;br&gt;  - western border with Tax Block 6140, Tax Lot C and Tax Block 3424, Tax Lot 17V;&lt;br&gt;  - eastern border with Tax Block 2910, Tax Lots 6 and 7; and&lt;br&gt;  - northern border with Tax Block 3424, Tax Lots 17C and 17E.</td>
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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>
<th>Staff</th>
<th>CCPB</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-1173</td>
<td>R-5 to R-4-S (RS9-S)</td>
<td>07-02-84</td>
<td>Northeast</td>
<td>25.75</td>
<td>Approval</td>
<td>Approval</td>
<td></td>
</tr>
</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>The proposed RS-9-L District is compatible with the surrounding zoning districts and the recommendations of Legacy and the Polo-Reynolda Area Plan.</td>
<td>Removes some of the existing open space area.</td>
</tr>
<tr>
<td>With the removal of the 1.56 acres of open space the Silas Ridge Development still exceeds the current standard of 15%</td>
<td></td>
</tr>
<tr>
<td>The recommended conditions of approval provide a reasonable level of protection between the various RS-9 projects.</td>
<td></td>
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</tbody>
</table>

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are created from those volunteered by the petitioner and/or those proposed by staff in order to meet codes or established standards, to restrict certain uses, and/or to reduce negative on-site and/or off-site impacts.

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

a. If existing vegetation is to be utilized to meet the 20’ minimum Type I bufferyard requirement, it shall be cordoned off prior to the issuance of any Grading Permits.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

a. A Final Plat shall be recorded in the Office of the Register of Deeds.

PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMITS:

a. A 20’ minimum Type I bufferyard shall be installed and/or maintained along the subject properties:
   - Western border with Tax Block 6140, Tax Lot C and Tax Block 3424, Tax Lot 17V;
   - Eastern border with Tax Block 2910, Tax Lots 6 and 7; and
   - Northern border with Tax Block 3424, Tax Lots 17C and 17E.

b. The 20’ minimum Type I bufferyard shall be installed as described above. Any existing vegetation that has been maintained to meet this requirement may require additional plantings to meet the Type bufferyard requirement.

OTHER REQUIREMENTS:

a. The subject property may be subdivided into a maximum of three (3) lots on the 1.56 acres;

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 - June 14, 2007

FOR: None

AGAINST:

Sandra Chitty, 2830 St. George Road, Winston-Salem, NC  27106
   • I would want our neighborhood to continue to be a safe place for all the children who live there. Whatever happens, I would not want to jeopardize the safety of children.

Annie Mueller, 2851 St. George Road, Winston-Salem, NC  27106
   • My only concern is construction.
   • I want to know what is going in, if anything. Is it going to be track houses? I finally read it isn't going to be multiple dwellings which was our major concern.
   • The access to St. George down to Silas Creek is a horrendous bottleneck. Getting onto and off of Silas Creek is at best a small nightmare.
   • Can we be told what is going on the property? Chairman King noted that all we know at this point is that it will be single family homes on lot sizes no smaller than 9,000 square feet.
   • There's no way to make sure it's going to be cohesive.

Shannon Beach, 2960 St. Clair Road, Winston-Salem, NC  27106
   • Everything has been said by the prior two ladies. I would just echo their concerns.

Dianne Cox, 2860 St. George Road, Winston-Salem, NC  27106
   • I'm going to show my ignorance by saying, "Do things get passed and then we find out what's going to be built or how does this work?"
   • We can't be assured that this will fit with our small, secure neighborhood.
   • How many houses are going to be put in here?
   • We just have one entrance/exit to the neighborhood.
   • How big a lot is 9,000 square feet?

Chairman King responded that the lots are equal to or larger than those on the ground now and that a maximum of six houses could be built under the zoning, but the topography would probably only allow four houses to be built.

John Harrison, 3035 St. Clair Road, Winston-Salem, NC  27106
   • I've three points. One is access. As far as we can see the only access is from St. George Road which is extremely narrow and extremely difficult. It's virtually a right-angle.
• There are environmental issues. The existing woodland is a rich habitat for birds and small mammals. In urban areas, that's especially important and some sort of EIA needs to be done before anything goes forward.
• This is a very settled and safe neighborhood. Something that changes the characteristics of the neighborhood should not go forward without participation in that area.

Lynn Johnson, 1221 Stadler Ridge, Winston-Salem, NC 27106
  • I'm opposed to this.
  • My house is directly across from this site.
  • There are a lot of issues with this such as the types of houses which will be built there. Will they match the existing homes? I think without having some type of knowledge beforehand, it should not be rezoned.

Vicky Rudy, 2871 St. George Road, Winston-Salem, NC 27106
  • If a lot of this is in reference to Silas Ridge development, why isn't access through Silas Ridge?

Alice Morley, 2931 Good Hope Road, Winston-Salem, NC 27106
  • I stayed in this area because I like the neighborhood.
  • The wooded area houses goldfinches and several rare birds. It has a creek running through it. It would be an atrocity if our City let that be developed.

Robert Treble, 2701 St. Clair Road, Winston-Salem, NC 27106
  • I'd like to echo the other comments about how important those woods are. I've seen hawks and many other animals in those woods, but besides that, it provides a nice buffer between Silas Ridge and our neighborhood. If a lot of trees are removed, it will change the character of our neighborhood.
  • It's an important part of the neighborhood.

Harry Spilman, 2860 Holyoke Place, Winston-Salem, NC 27106
  • You mentioned that 9,000 square feet was something like the rest of the lots in the place. I think ours are actually more like 18,000 square feet.
  • These are cluster homes and if you put single family homes on those lots, you may not get a very large house. But I think all our lots are bigger than that.

WORK SESSION

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

1. The area is zoned RS-9, although existing lots may be larger than that.

2. Carol Eickmeyer: The neighbors have made some good points about traffic congestion. I think this is a good place for special use or special use limited district zoning. We do need more detail about the plan and how traffic is going to flow through there.
3. Wesley Curtis: I share Carol's opinion. Taking that large buffer out makes a large change. This piece is important enough that we need to know what's going to happen on it before we approve it. That isn't to say we don't let it develop, but we have some sort of idea about what is proposed. There are some things that can be done here to satisfy both neighborhoods and development can happen, but general use doesn't allow that review.

4. Right now, this parcel is restricted to open space as part of the approved PRD.

5. Clarence Lambe: I think this is an infill candidate. It's a very low impact change to the property with the exception of taking forest and changing that to building lots. I'll vote against the motion to deny because I think it's a small, low-impact infill candidate.

6. Jerry Clark: I agree with Clarence, but I'm torn because of the quality of life. We are trying to encourage infill, but this will have a significant impact on the quality of life of those already living here.

7. Arthur King: If we deny this, what have we done in terms of the property owner's ability to use this property? I'm very sympathetic to the neighborhood issues, but the property owner also has rights. What options will the property owner have if we deny this request?

8. Arnold King: I'm on the same fence. I would support the infill, support four units there, but I'd like for them to be more consistent with the neighborhood. If we had some assurances that what they were putting in there was compatible with what's already out there, I'd be more comfortable. I understand there are enough traffic problems getting in and out of there.

9. Paul Norby answered Arthur King's question by stating that the petitioner can come back in requesting special use district zoning or special use limited district zoning. The petitioner can also request withdrawal before the elected officials meeting.

10. Lynne Mitchell: I too have been on the fence. I'm a huge supporter of infill. This is close to town and is an appropriate place for infill, but I agree that the designs are important. If they have the opportunity to come back, I support the motion that's on the floor.

11. Chairman King asked if anyone was here representing the petitioner. William Rabil stated that he was an attorney representing the petitioner. Mr. Rabil stated that the petitioner lives in Montana and inherited the property. He simply has no specific interest in developing the property, but wants to be able to have a piece of property that can be used rather than being locked into a buffer. All he is asking is that the property be taken out of that open space and be made available for infill. The concept is not to create something that is incompatible with the neighborhood. To be able to sell the homes, they will have to be compatible with the surrounding neighborhood.
12. Chris Murphy noted that staff did discuss compatibility with the petitioner. However, the petitioner was also made aware that because of the history of this property, the petitioner was likely to face opposition with general use zoning and he needed to be prepared for it. On the face of it, it is compatible with the neighborhood and surrounding zoning.

13. Mr. Rabil asked that the petitioner be allowed to come back without the additional filing fee since he didn't know about the special use limited district zoning option.

14. Carol Eickmeyer noted that there is also the option of coming back with a different zoning category which would make it clear that fewer houses would be allowed on the site.

15. Chris Murphy noted that there is no difference in fees because of the size of this property. The difference would only related to the cost of advertising which would be $250.00. A continuance would also be a possibility.

MOTION: Carol Eickmeyer moved denial of the zoning map amendment.
SECOND: Wesley Curtis

Ms. Eickmeyer and Mr. Curtis withdrew their motion.

MOTION: Carol Eickmeyer moved continuance of the zoning map amendment to August 9, 2007 with the only fees to be charged to be $250 for advertising.
SECOND: Wesley Curtis

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

PUBLIC HEARING - August 9, 2007

Jesse Beckom presented the staff report.

FOR:

W. E. Rabil, Sr., 3600 Country Club Road, Suite 100, Winston-Salem, NC 27104
• The petitioner is accepting of the conditions added by the Planning staff. He has no objection to the buffer.
• With the minimum lot size, the petitioner requests that lots be consistent with lots that are already in Ashley Forest. Houses will be constructed similarly to houses in the Ashley Forest area.
• We have no angst to create conflict with existing development.
• We aren't sure if the covenants for Ashley Forest are still in effect because of the age of that subdivision, but our intent is to have lots and houses which are at least the size of those in Ashley Forest.
AGAINST:

Dan O'Hara, 2861 Saint George Road, Winston-Salem, NC 27106
- I've been nominated by Ashley Forest to speak on their behalf.
- Referred to letter submitted by Ashley Forest in objection to this request, a copy of which is on file.
- Some board members had expressed concern about the plans for the property and compatibility with adjoining properties. We share those concerns and at present we do not have adequate understanding of how this property will be developed if this rezoning is approved.
- Our concerns include storm water runoff. Two homes are actually below the subject property and could become drainage concerns.
- Outside building materials and driveways are a concern to us. For all practical purposes, this property should be considered as part of Ashley Forest subdivision and should be built in similar styles and with similar materials.
- Referred to covenants which cannot be considered as part of zoning requests.
- The average lot size is 0.42 acres and the average home size is 2119 square feet.
- Our third concern is infrastructure. We have no indication of how curbing, roads, and storm sewers will be constructed or maintained.
- Quality of life is a concern. We think this property is a candidate to be left as open space because of its topography and stream.
- Contrary to what the petitioner's attorney stated at the June meeting, the property was not inherited, but rather Mr. Blevins was already owner and already aware of the covenants and restrictions.
- We request you deny this requested rezoning unless one of the two stated options in our letter is agreed to.
- The Ashley Forest development wants to promote appropriate development throughout the City.

John Harrison, 3035 St. Claire Road, Winston-Salem, NC 27106
- Mr. O'Hara covered the main points we are concerned about.
- We don't have objections to development in principle. The broader issue is about improving or sustaining the quality of life, not reducing it.
- The piece of land under consideration provides an interesting habitat for wildlife.
- If the buffer zone was needed originally, what has altered that it is no longer necessary? I mean the open space.
- We need to ask if infilling will be commensurate with the disruption and changes in the character of the neighborhood that will come from changing the land use?
- What is remiss about wanting to conserve ever-diminishing features of urban woodland?

Wayne H. Linville, 3011 Saint Claire Road, Winston-Salem, NC 27106
- I simply want to give you an example of poor drainage design.
- We have a medium size creek flowing through our neighbors back yard with our basement three to four feet below spring level.
- Since it's on private property, the City can't help us.
- We would like you to place stipulations on the rezoning to avoid this type of problem.
Philip Boutwell, 1217 Stadler Ridge, Winston-Salem, NC 27106
• There's about 10 of us here from Silas Ridge Subdivision.
• We submitted a letter and petition to you earlier.
• Read letter into the record. A copy of the letter and petition is on file.
• For what it's worth, Mr. Blevins lives in Montana.

Mr. O'Hara asked those in opposition to this request to stand. In response to a question from Arnold King, he indicated that the restrictive covenants have run out.

Doug Turner, 1256 Stadler Ridge Road, Winston-Salem, NC 27106
• When I bought my property 18 years ago, we bought it because this was a piece of property that would be a natural barrier between the two developments.
• Before development is finished, we are going to have very large trees removed, concrete looking at the back of houses. We'll see garages and cement and concrete driveways. Frankly this will lower the value of our property.

Donna McGuiness, Stadler Ridge & Silas Ridge Road, Winston-Salem, NC 27106
• I've seen this happen before when the City wouldn't help us because we were on private property. That's exactly what is going to happen here.

WORK SESSION

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

1. Mr. Mullican suggested to the associations that they consider buying this property to maintain it in its current condition as the property owner is certainly entitled to do something with his property. A spokesperson for the association stated that the previous board and the current board had both discussed this and within about half a second turned down the offer to buy the property because they didn't need more green space. They are not interested in purchasing it.

2. This is a piece of property which is allowed to be rezoned because the part it was associated with has sufficient open space. The current owner is willing to restrict it in ways that make it consistent with the neighborhood that it is not really part of. It is within our purview to add a condition about storm water so that if this is treated as a minor subdivision, it would still have to comply with storm water management which would address runoff and erosion in the future. We are not able to add conditions that have anything to do with the size, driveways, materials, etc.

3. Carol Eickmeyer: I have to say to both neighborhoods that since you do have the ability to purchase the property gives me the thought that if you are truly concerned about this, you have a way to protect both neighborhoods by the purchase. But it is the owner of the property who has the right to say what's going to happen.
MOTION: Carol Eickmeyer moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions with the 20' buffer, without the square footage, and with the storm water condition that is added by staff that mimics all the rest of them. Chris Murphy read the standard condition for storm water which is: Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.
SECOND: Jerry Clark
VOTE:
   FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican
   AGAINST: None
   EXCUSED: None

A. Paul Norby, FAICP
Director of Planning