DOCKET #: W2908

PROPOSED ZONING:
RM8-S (Residential Buildings; and PRD)

EXISTING ZONING:
RS9

PETITIONER:
C L Richmond Homes Inc for property owned by Same

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRE(S): 3.96

MAP(S): 606882, 612882
January 24, 2007

C. L. Richmond Homes, Inc.
1365 Westgate Center Drive
Winston-Salem, NC  27103

RE:    ZONING MAP AMENDMENT W-2908

Dear Sirs:

    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
       Doug Stimmel, 601 N. Trade Street, Suite 200, Winston-Salem, NC  27101
ACTION REQUEST FORM

DATE: January 24, 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 C L Richmond Homes, Inc.

SUMMARY OF INFORMATION:

Zoning Map Amendment of C L Richmond Homes, Inc. from RS-9 to RM-8-S (Residential Building Twin Home, Residential Building Duplex, Residential Building Single Family, Residential Building Multifamily, Residential Building Townhouse; and Planned Residential Development): property is located on the east side of Bethabara Road, south of Shattalon Drive (Zoning Docket W-2908).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO
CITY ORDINANCE - SPECIAL USE

Zoning Petition of C L Richmond Homes, Inc.,
Docket W-2908

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 to RM-8-S
(Residential Building Twin Home, Residential Building Duplex, Residential Building Single
Family, Residential Building Multifamily, Residential Building Townhouse; and Planned
Residential Development) the zoning classification of the following described property:

Tax Block 3456, Tax Lot 008F

Section 2. This Ordinance is adopted after approval of the site plan entitled C L
Richmond Homes, Inc. and identified as Attachment "A" of the Special Use District Permit
issued by the City Council the ______ day of __________________, 20___ to C L Richmond
Homes, 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 C L Richmond Homes, Inc. 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 C L Richmond Homes, Inc. (Zoning Docket W-2908). 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 (Residential Building Twin Home, Residential Building Duplex, Residential Building Single Family, Residential Building Multifamily, Residential Building Townhouse; and Planned Residential Development), 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 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 WSDOT and/or NCDOT.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. Developer shall record a final plat in the Office of the Register of Deeds. Final Plat shall show lots, common areas, public streets, easements, and utilities.
  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.
• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. Widen Bethabara Road 13’ from center with curb, gutter and sidewalks to WSDOT and/or NCDOT standards.
  b. Signage shall be limited to one (1) monument sign with a maximum height of six (6) feet and eighteen (18) square feet of copy area.
### CITY-COUNTY PLANNING BOARD
#### STAFF REPORT

### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2908</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>CL Richmond Homes, Inc. RS-9 to RM-8-S</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 8F /Tax Block 3456</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use District rezoning to RM-8-S</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 to RM-8-S Residential, Multifamily District; maximum 8 units per acre. The petitioner is requesting the following uses:
- Residential Building, Twin Home; Residential Building Duplex;
- Residential Building, Single Family; Residential Building Multifamily, Residential Building Townhouse; and PRD)

**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.

**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

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>East side of Bethabara Road, south of Shattalon Drive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>North</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 3.96 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Single family home</td>
</tr>
</tbody>
</table>

**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>IP and RS-9</td>
<td>Undeveloped and single Family Homes</td>
</tr>
<tr>
<td>East</td>
<td>RS-9</td>
<td>Single Family Homes</td>
</tr>
<tr>
<td>South</td>
<td>MH-S</td>
<td>Manufactured Housing Development</td>
</tr>
<tr>
<td>West</td>
<td>RS-9</td>
<td>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?
Yes
<table>
<thead>
<tr>
<th>Physical Characteristics</th>
<th>The site has a gentle slope downward from the north to the southeast.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proximity to Water and Sewer</td>
<td>Public water and sewer are available to the site.</td>
</tr>
<tr>
<td>Stormwater/Drainage</td>
<td>A stormwater study will be required.</td>
</tr>
<tr>
<td>Watershed and Overlay Districts</td>
<td>The site is not within the boundaries of a water supply watershed.</td>
</tr>
<tr>
<td>Analysis of General Site Information</td>
<td>The subject property is suitable for the proposed improvements.</td>
</tr>
<tr>
<td>Generalized Recommended Conditions</td>
<td><strong>BRIEF DESCRIPTION OF CONDITION(S):</strong></td>
</tr>
<tr>
<td></td>
<td>• Submit stormwater study</td>
</tr>
<tr>
<td></td>
<td>• Grading permit</td>
</tr>
</tbody>
</table>

### 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>Bethabara Road</td>
<td>Minor Thoroughfare</td>
<td>278’</td>
<td>3,300</td>
<td>16,100</td>
</tr>
<tr>
<td>Proposed Access Point(s)</td>
<td>Public street connection to Bethabara Road.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planned Road Improvements</td>
<td>The Thoroughfare Plan recommends that Bethabara Road between Bethabara Park Blvd. and Shattalon Dr. for a three lane minor thoroughfare with curb and gutter, and widened outside lanes with sidewalks.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trip Generation - Existing/Proposed</td>
<td><strong>Existing Zoning: RS-9</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3.96 acres x 43,560 / 9,000 = 19 units x 9.57 (SFR Trip Rate) = 182 Trips per Day</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Proposed Zoning: RM8-S</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>24 units x 6.59 (Multifamily Trip Rate) = 158 Trips per Day</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalks</td>
<td>No sidewalks are located in the general area; however, in accordance with the new street standards, sidewalks are required along one side of the proposed new street and along the frontage of Bethabara Road. The site plan includes said sidewalks.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transit</td>
<td>Route 16 and 44 along Bethabara Road</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Connectivity</td>
<td>In accordance with Planning staffs’ recommendation a public street connection to the developed manufactured housing development located directly to the south is included on the site plan.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Analysis of Site Access and Transportation Information</td>
<td>Access to the site is adequate. Bethabara Road will need to be widened 13’ from the center with curb, gutter and sidewalks as per the driveway permit. The site plan also notes a negative access easement along Bethabara Road.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### 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 since 4/15/06</th>
<th>School Capacity</th>
<th>Number of Mobile Classrooms on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Old Town ES</td>
<td>11</td>
<td>864</td>
<td>875</td>
<td>626</td>
<td>10</td>
</tr>
<tr>
<td>Hanes MS</td>
<td>5</td>
<td>720</td>
<td>725</td>
<td>705</td>
<td>0</td>
</tr>
<tr>
<td>North Forsyth HS</td>
<td>7</td>
<td>1,594</td>
<td>1,601</td>
<td>1,165-1,546</td>
<td>7</td>
</tr>
</tbody>
</table>

### CONFORMITY TO PLANS AND PLANNING ISSUES

#### Legacy GMA
- Suburban Neighborhoods (GMA 3)

#### Relevant Legacy Recommendations
- Promote higher development densities and mixed use development within the Municipal Services Area. (p. 35)
- One of the goals of the Growth Management Plan is to increase the intensity of development in the urban areas of Forsyth County where there is already a large public investment in roads, sewers and other infrastructure. This reduces pressure for development to sprawl into the rural areas of the County. (p. 38)

#### Relevant Area Plan(s)
- **North Suburban Area Plan** (2005)

#### Area Plan Recommendations
The **North Suburban Area Plan** recommends the majority of this site to become a Manufactured Housing Park. A small portion of the site is recommended as moderate density residential development. Multifamily Development in this area should incorporate pedestrian oriented features such as buildings oriented to the street, the use of small parking courts instead of large surface parking lots, parking to the side or rear of buildings, on street and angled parking, a sidewalk or pedestrian and bicycle trail network, alleys, garages to the rear of buildings, and the use of crime prevention through environmental design.

#### 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 subject request is in conformity with the recommendations of Legacy. The request is in general conformance with the **North Suburban Area Plan** which recommends moderate density residential development for a small portion of the site and manufactured housing on the remainder. The maximum density of the MH District is 5 units per acre whereas the proposed density is 6.06 units per acre.

#### Generalized Recommended Conditions

- **BRIEF DESCRIPTION OF CONDITION(S):**
  - Signage condition
### 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-2883</td>
<td>RS-9 to RM8-S</td>
<td>Withdrawn at 8-10-06 Planning Board meeting</td>
<td>Included current site</td>
<td>4.42</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2334</td>
<td>RS-9 to MH-S</td>
<td>Approved 8-16-99</td>
<td>±1,200’ southeast</td>
<td>3.8</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2161</td>
<td>RS-9 to MH-S</td>
<td>Approved 7-7-97</td>
<td>500’ south</td>
<td>15.85</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2015</td>
<td>RS-9 and MH to MH-S</td>
<td>Approved 12-4-95</td>
<td>Directly south</td>
<td>12.93</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

**Units (by type) and Density**

- 24 Twinhomes on 3.96 acres = 6.06 units per acre

**Parking**

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 spaces per unit</td>
<td>2 spaces per unit</td>
<td>Off-street in driveways</td>
<td></td>
</tr>
</tbody>
</table>

**Building Height**

<table>
<thead>
<tr>
<th></th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>45’</td>
<td></td>
<td>40’</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></td>
<td>38.89%</td>
</tr>
</tbody>
</table>

**UDO Sections Relevant to Subject Request**

- Chapter B, Article II Section 2-1.2 (L) RM-8 Residential, Multifamily District
- Chapter B, Article II Section 2-5.64 Residential Building, Multifamily; Residential Building, Townhouse; or Residential Building, Twin Home Use Conditions

**Complies with Chapter B, Article VII, Section 7-5.3**

- (A) Legacy policies: Yes
- (B) Environmental Ord.: NA
- (C) Subdivision Regulations: Yes

**Analysis of Site Plan Compliance with UDO Requirements**

- The revised site plan meets the requirements of the UDO.

**Generalized Recommended Conditions**

**BRIEF DESCRIPTION OF CONDITION(S):**

- Developer shall record a final plat in the office of the Register of Deeds.

### 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 site is an appropriate location for residential infill.</td>
<td>Area plan recommends manufactured housing park for most of the subject property.</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 WSDOT and/or NCDOT.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. Developer shall record a final plat in the Office of the Register of Deeds. Final Plat shall show lots, common areas, public streets, easements, and utilities.
  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.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. Widen Bethabara Road 13’ from center with curb, gutter and sidewalks to WSDOT and/or NCDOT standards.
  b. Signage shall be limited to one (1) monument sign with a maximum height of six (6) feet and eighteen (18) square feet of copy area.

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, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith
AGAINST:  None
EXCUSED:  None

_______________________

A. Paul Norby, FAICP
Director of Planning