DOCKET #: W2783

PROPOSED ZONING:
City RM8-S

EXISTING ZONING:
County RM8-S

PETITIONER:
City of Winston-Salem

SCALE: 1" represents 1000'

STAFF: Reed

GMA: 3

ACRE(S): 111.07

MAP(S): 624822
July 20, 2005

City of Winston-Salem  
c/o Bryce Stuart, Manager  
P. O. Box 2511  
Winston-Salem, NC  27102  

RE:  ZONING MAP AMENDMENT W-2783  

Dear Mr. Stuart:  

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, AICP  
Director of Planning  

pc:  City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Petition of City of Winston-Salem for property owned by Builders Land, Inc. and Shugart Enterprises, LLC

SUMMARY OF INFORMATION:

Zoning map amendment of City of Winston-Salem for property owned by Builders Land, Inc. and Shugart Enterprises, LLC from County Zoning Jurisdiction (RM-8-S [Residential Building, Single Family; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development]) to City Zoning Jurisdiction (RM-8-S [Residential Building, Single Family; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development]): property is located on the east and west sides of Peters Creek Parkway south of Brannigan Village Drive (Zoning Docket W-2783).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS
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 County Zoning Jurisdiction (RM-8-S) to City Zoning Jurisdiction (RM-8-S) the zoning classification of the following described property:

Tax Block 3870 Tax Lots 2A and 2J
Tax Block 3870A Tax Lots A-F, 1-45 and 112-157

Section 2. This Ordinance is adopted after approval of the site plan entitled The Children’s Home, Inc./Parkside and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, to City of Winston-Salem for property owned by Builders Land, Inc. and Shugart Enterprises, LLC.

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 The Children’s Home, Inc./Parkside. 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 City of Winston-Salem for property owned by Builders Land, Inc. and Shugart Enterprises, LLC, (Zoning Docket W-2783). 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, Single Family; Residential Building, Townhouse; Residential Building, Multifamily; 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. Limits of grading along Leak Creek defining the central drainageway of the property shall be flagged in the field.
  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. On site fire hydrant locations shall be approved by the County Fire Department in writing to the Inspections Division.
  b. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show tentative building locations for multifamily units and all access and utility easements.
  c. Developer shall dedicate a forty (40) foot greenway easement to the City of Winston-Salem along north and south sides of Leak Creek and the eastern side of South Fork Muddy Creek as shown on the approved Preliminary Site Plan. Planning staff shall approve the location of said greenway easement on final plat.
  d. Developer shall establish negative access easements along both frontages of Peters Creek Parkway where no street connection is shown on site plan and shown on final plat.
• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. Developer shall install road improvements on Peters Creek Parkway as required by the North Carolina Department of Transportation.
  b. All required fire hydrants shall be installed in accordance with the Forsyth County Fire Department.
  c. Developer shall install all required storm water management devices.

• OTHER REQUIREMENTS
  a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet at both the east and west entrance to the site on Peters Creek Parkway.
DOCKET #    W-2783
STAFF:      David Reed

Petitioner(s): City of Winston-Salem
Ownership: Builders Land, Inc. and Shugart Enterprises, LLC

REQUEST

From: County RM-8-S (Residential Building, Single Family; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development)
To: City RM-8-S (Residential Building, Single Family; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development)

Acreage: 111.17

LOCATION:
Street: East and west sides of Peters Creek Parkway south of Brannigan Village Drive
Jurisdiction: City of Winston-Salem
Ward: Southeast

ANALYSIS:
The only thing under review in this case is the zoning conversion from County zoning to City zoning resulting from the June 20, 2005 annexation of the subject properties. The Planning Board's role in reviewing this petition pertains only to the zoning jurisdiction. The decision to annex the property was made by the City Council after review by the Public Works Committee, based on a petition by the property owners.

This proposal will not change the dimensional requirements of the subject properties but will reclassify the newly incorporated property from its Forsyth County zoning classification to the equivalent City of Winston-Salem zoning classification. The zoning classifications are essentially equivalent with the exception of a limited number of permitted uses.

The property owners were notified of this necessary zoning classification change by first class mail.

STAFF RECOMMENDATION

Zoning: APPROVAL.
PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Dara Folan 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: Clark, Curtis, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Smith
  AGAINST: None
  EXCUSED: None

A. Paul Norby, AICP
Director of Planning