DOCKET #: W2688

PROPOSED ZONING:
Site Plan Amendment

EXISTING ZONING:
RM12-S

PETITIONER:
Kavanagh Associates, Inc., for property owned by George W. Holmes

SCALE: 1" represents 400'

STAFF: Hall

GMA: 3

ACRE(S): 21.45

MAP(S): 624826
April 21, 2004

Kavanagh Associates, Inc.
1810 Pembroke Road
Greensboro, NC  27408

RE:    SITE PLAN AMENDMENT W-2688

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, AICP
Director of Planning

pc:    City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
G. Emmett McCall, Attorney, 100 N. Cherry Street, Winston-Salem, NC  27101
George W. Holmes, c/o John Gramblin, P. O. Box 96, Grambling, SC  29348
ACTION REQUEST FORM

DATE: April 21, 2004
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Site Plan Amendment of Kavanagh Associates, Inc. for property owned by George W. Holmes

SUMMARY OF INFORMATION:

Site Plan Amendment of Kavanagh Associates, Inc. for property owned by George W. Holmes for property zoned RM-12-S (Residential Building, Multifamily): property is located at the southwest corner of Peters Creek Parkway and Bridgton Road; property consists of 21.45 acres. (Zoning Docket W-2688).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS
CITY ORDINANCE - SPECIAL USE

Site Plan Amendment of Kavanagh Associates, Inc. for property owned by George W. Holmes, Docket W-2688

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 granting a Site Plan Amendment for property zoned RM-12-S (Residential Building, Multifamily - Site Plan Amendment) and described as follows:

BEGINNING at a point, said point being the southwest corner of Lot 94 in the Laurel Park Subdivision as recorded in the Forsyth County Register of Deeds; Plat 31, Book 94; thence proceeding along the southern line of said subdivision the following four courses:

1) North 64º 41' 54" east 264.81 feet
2) North 75º 11' 39" east 140.01 feet
3) South 89º 38' 06" east 140.00 feet
4) South 69º 18' 48" east 326.47 feet to the southeast corner of Lot 105 of said subdivision thence proceeding a bearing and distance of north 11º 31' 46" east 155.00 feet to a point in the right-of-way of Bridgton Road, thence proceeding the following curve having a radius to the right of 635.672' a chord bearing and distance of south 83º 28' 24" east 110.87 feet, thence proceeding a bearing and distance of south 88º 28' 35" east 76.11 feet to the point of intersection of the right-of-ways of Bridgton Road and Peters Creek Parkway, thence proceeding along the southern right-of-way of Peters Creek Parkway a bearing and distance of south 06º 05' 17" west 930.58 feet, thence departing the southern right-of-way of Peters Creek Parkway the following seven courses:

1) South 82º 23' 54" west 325.32 feet
2) South 02º 24' 52" east 104.95 feet
3) North 88º 20' 33" west 452.29 feet
4) North 02º 49' 24" west 78.82 feet
5) North 24º 30' 43" west 518.68 feet
6) North 09º 53' 41" west 289.70 feet
7) North 61º 39' 03" east 113.96 feet

to the point of BEGINNING, said parcel containing 21.368 acres and being Tax Block 3865, Tax Lots 16, 17, 19 and part of 14M.
Section 2. This Ordinance is adopted after approval of the site plan entitled Kavanagh Associates, Inc. for property owned by George W. Holmes/Peters Creek Condominiums and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, to Kavanagh Associates, Inc. for property owned by George W. Holmes.

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 Kavanagh Associates, Inc. for property owned by George W. Holmes/Peters Creek Condominiums. 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 Kavanagh Associates, Inc. for property owned by George W. Holmes, (Zoning Docket W-2688). 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 Site Plan Amendment of Kavanagh Associates, Inc. for property owned by George W. Holmes for property zoned RM-12-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-12-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 a obtain driveway permit from NCDOT; additional improvements may be required prior to issuance of permit.
  b. 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 of the City of Winston-Salem.
  c. Limits of clearing shall be flagged in the field, also flagging the toe of any new slopes and clearing for the walking trail.
  d. Undisturbed buffer areas, as indicated on the site plan, shall be cordoned off.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  a. On-site fire hydrant locations shall be approved in writing by the City of Winston-Salem Fire Department.
  b. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show tentative building locations and all access and utility easements.
• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. Developer shall install public fire hydrants in accordance with the City Fire and Utilities Departments.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. An application shall be submitted to FEMA for a letter of map revision to the flood plain.
  b. Developer shall install all sidewalks shown on the site plan to the specifications of the Public Works Department of the City of Winston-Salem.

• OTHER REQUIREMENTS
  a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet at each entrance into the development.
  b. Developer shall only encroach into the buffer area along Peter’s Creek Parkway for the purpose of tying grades; said buffer shall, to the extent possible, remain undisturbed.
ZONING STAFF REPORT

DOCKET #  W-2688
STAFF:     S. Chad Hall

Petitioner(s): Kavanagh Associates, Inc.
Ownership:    George W. Holmes

REQUEST

Site Plan Amendment for property zoned RM-12-S (Residential Building, Multifamily)

Acreage:  21.45 acres

LOCATION:

Street: Southwest corner of Peters Creek Parkway and Bridgton Road
Jurisdiction: City of Winston-Salem
Ward: South

SITE PLAN

Proposed Use: Residential Building, Multifamily

Square Footage: ± 4,200 square foot (sf) footprint x 3-stories = 12,600 sf / building
Building Height: 3-story (38’6” per Site Plan)
Density:  8.39 Units per Acre
Parking: Required: 315; Proposed: 344
Bufferyard Requirements: Type II abutting RS-9
Vehicular Use Landscaping Standards Requirements: UDO standards shall apply

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: There are no structures on the subject property.

Adjacent Uses:

North- Developed single-family residential zoned RS-9; portion of original approval.
East- Commercial uses zoned LB across Peter’s Creek Parkway.
South- Zoned RS-9, but part of a vast floodplain that encroaches into the subject property.
West- Undeveloped large tracts zoned RS-9.
GENERAL AREA

Character/Maintenance: Development in this area west of Peter’s Creek Parkway is the single-family to the north of the site, which is comprised of well-maintained homes. 
Development Pace: Moderate.

HISTORY

Relevant Zoning Cases:

1. W-1181; R-5 to R-2-S (Multifamily) converted to RM-12-S in the UDO; approved August 6, 1984; Southwest corner of Peter’s Creek Parkway and Bridgeton Road (current site); 21.45 acres; Planning Board and staff recommended approval.

TRANSPORTATION

Direct Access to Site: Peters Creek Parkway – Major Thoroughfare; and Bridgton Road – Local Road.
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Trips per Day):
  - Peters Creek Parkway between Southern Beltway and Bridgton Road = 13,000/32,400
  - Trip Generation/Existing Zoning: RM-12-S
    - 176 x 6.59 (Multi-Family Trip Rate) = 1,159 Trips per Day
  - Trip Generation/Proposed Zoning: Site Plan Amendment
    - 180 x 6.59 (Multi-Family Trip Rate) = 1,186 Trips per Day
Planned Road Improvements: R-2709 Peters Creek Parkway; widening from 2 lanes to 4 lanes; from West Clemmonsvoice Road to County Line; 2001 –2004; Regionally Significant.
Sight Distance: Fair, but will improve with requirements per the Site Plan Amendment.
Traffic Impact Study recommended: No.
Connectivity of street network: While not a street network, the driving aisle loops through the multifamily development creating good circulation.
Sidewalks: Existing on the north side of Bridgton Road and proposed throughout the project, including leading to Peter’s Creek Parkway and on the south side of Bridgeton Road and along the right-in/right-out access to the subject property.
Transit: None existing, but may be warranted with this multifamily development.
Bicycle Route: None.

ANALYSIS

The current request is a Site Plan Amendment for 21.45 acres currently zoned RM-12-S (Multifamily). The property is located on the southwest corner of Peter’s Creek Parkway and Bridgeton Road. The crux of this request is that it will add a total of 4 units above the previously approved RM-12-S and the buildings are now proposed to be three-story as opposed to the previously approved two-story buildings.
The site was zoned, originally, to R-2-S (converted to RM-12-S with the UDO) in 1984 to allow for 176 units in 11 two-story buildings. The current plan proposes 180 units in 15 three-story buildings. The original approval illustrated a private road that entered the site and ended in a modified cul-de-sac. The new private road loops within the property, facilitating more efficient traffic flow. Both plans show an area for active recreation, although the new plan has the open space centered and more celebrated within the development. Another positive asset to the proposed plan is that it provides a fifty (50) foot wide undisturbed buffer adjacent to the existing single-family residential development to the north as well as a fifty (50) foot wide buffer along Peter’s Creek Parkway to the east. The enhanced buffer combined with the fact that the proposed three story buildings will be farther away and down slope from the adjacent residential development minimizes the visual impacts of the taller buildings relative to the neighborhood. Furthermore, the new plan has incorporated a sidewalk system throughout the site and also is to provide sidewalk linkages to Peter’s Creek Parkway. Both plans show similar limited encroachment into the flood plain.

FINDINGS

1. This request will add a total of 4 units above the previously approved RM-12-S.

2. This request will have 15 three-story buildings as opposed to 11 two-story buildings as previously approved.

3. The original approval illustrated a private road that entered the site and ended in a modified cul-de-sac.

4. The new private road loops within the property, facilitating more efficient traffic flow.

5. The new plan has the open space centered and more celebrated within the development.

6. The new plan provides a minimum fifty foot wide undisturbed buffer adjacent to single-family residential to the north.

7. The new plan has incorporated a sidewalk system throughout the site and also is to provide sidewalk links to Peter’s Creek Parkway.

STAFF RECOMMENDATION

Site Plan Amendment: APPROVAL.
Site Plan: Staff certifies that the site plan meets all code requirements, and recommends the following conditions:

- PRIOR TO THE ISSUANCE OF GRADING PERMITS
  a. Developer shall obtain driveway permit from NCDOT; additional improvements may be required prior to issuance of permit.
b. 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 of the City of Winston-Salem.

c. Limits of clearing shall be flagged in the field, also flagging the toe of any new slopes and clearing for the walking trail.

d. Undisturbed buffer areas, as indicated on the site plan, shall be cordoned off.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
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• OTHER REQUIREMENTS
  a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet at each entrance into the development.
  b. Developer shall only encroach into the buffer area along Peter’s Creek Parkway for the purpose of tying grades; said buffer shall, to the extent possible, remain undisturbed.

Public Hearing

FOR: None

AGAINST: None

Work Session

The Planning Board noted that it appreciates the changes which the petitioner made to the site plan.
MOTION: Paul Mullican moved approval of the site plan amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Jerry Clark
VOTE:
   FOR: Clark, Eickmeyer, Glenn, King, Lambe, Mullican, Norwood, Smith
   AGAINST: None

A. Paul Norby, AICP
Director of Planning