DOCKET #: W2720

PROPOSED ZONING:
RM8-S (Residential Building, Townhouse)

EXISTING ZONING:
RS9

PETITIONER:
PM Development, LLC
for property owned by Same

SCALE: 1” represents 400’

STAFF: Gallaway

GMA: 3

ACRE(S): 6.34

MAP(S): 618838
August 25, 2004

PM Development, LLC
2104 Peters Creek Parkway
Winston-Salem, NC  27107

RE:   ZONING MAP AMENDMENT W-2720

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
Gupton &Associates, PA, 2200 Silas Creek Parkway, Suite 2-B, Winston-Salem, NC 27103
ACTION REQUEST FORM

DATE: August 25, 2004
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of PM Development, LLC

SUMMARY OF INFORMATION:

Zoning map amendment of PM Development, LLC from RS-9 to RM-8-S (Residential Building, Townhouse): property is located at the eastern terminus of Falcon Point Drive (Zoning Docket W-2720).

PLANNING BOARD ACTION:

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

Zoning Petition of PM Development, LLC, Docket W-2720

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, Townhouse) the zoning classification of the following described property:

BEGINNING at an iron in the south right-of-way margin of Gyro Drive, said iron being the northwest corner of Lot 31, Block 6341, New Ardmore, Section Two as recorded in Plat Book 43, Page 115 in the office of the Register of Deeds, Forsyth County, NC; thence from the point of Beginning and running with the west line of said New Ardmore, Section Two south 01º 04' 47" west 485.20 feet to an iron, said iron being the southwest corner of Lot 25, Block 6411, thence north 84º 41' 00" west 110.30 feet to an iron, said iron being the northwest corner of Lot 24, Block 6341, of said New Ardmore, Section Two, and the northeast corner of property owned by F. W. Properties II being Tax Lot 17D, Block 3838, as recorded in Deed Book 1982, Page 3159 in said Forsyth County Registry, thence with the line of F. W. Properties II south 80º 33' 51" west 460.58 feet to an iron, thence on a new line crossing the end of Falcon Point Drive north 07º 22' 24" west 30.00 feet to a point, said point being the southeast corner of Tax Lot 102R, Block 3837 owned by Paul W. Ward as recorded in Deed Book 1510, page 18 of said Forsyth County Registry, thence continuing with the east line of Paul Ward north 07º 22' 24" west 577.99 feet to a point, thence on a new line running with the south line of New Ardmore, Section Three south 69º 22' 05" east 564.21 feet thence north 26º 45' 09" east 115.70 feet, thence north 01º 04' 47" east 47.06 feet to a point in the south right-of-way margin of Gyro Drive, thence running with the south right-of-way margin of Gyro Drive south 88º 55' 13" east 70.00 feet to the point and place of BEGINNING. Containing 6.34 acres and being a portion of Tax Lot 110C, Block 3837.

Section 2. This Ordinance is adopted after approval of the site plan entitled PM Development, LLC/New Ardmore-Section 4 and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, to PM Development, 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 **PM Development, LLC/New Ardmore-Section 4**. 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 PM Development, LLC, (Zoning Docket W-2720). 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, Townhouse), 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 should 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 plan shall be submitted and approved 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 City Fire Department in writing to the Inspections Department.

• **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  a. All required fire hydrants shall be installed in accordance with the City Fire Department.
  b. Developer shall improve Falcon Point Drive to City of Winston-Salem Public Street standards to western property line in accordance with subdivision requirements for New Ardmore (Section 3) (Subdivision # 96051).
ZONING STAFF REPORT

DOCKET # W-2720
STAFF: David Reed/Glenn Simmons

Petitioner(s): P M Development, LLC
Ownership: Same

REQUEST

From: RS-9
To: RM-8-S (Residential Building, Townhouse)

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

Acreage: 6.34

LOCATION:

Street: Eastern terminus of Falcon Point Drive
Jurisdiction: city of Winston-Salem
Ward: South

SITE PLAN

Proposed Use: Residential Building, Townhouse
Building Height: 40 foot maximum
Density: 2.36 Units per acre
Parking: Required: 30 Spaces; Proposed: 30 Spaces (provided in garages and driveways)
Bufferyard Requirements: 30 Foot Type II where adjacent to Single Family zoning

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is vacant
Adjacent Uses:

North- Recently approved single family subdivision, zoned RS-9.
East- Single family subdivision, zoned RS-9
Southwest- Multifamily development, zoned RM-12-S
West- Single family homes zoned RS-9 and a multifamily development, zoned RM-12-S
GENERAL AREA

Character/Maintenance: Well-maintained mixture of single family and multifamily structures
Development Pace: Moderate

HISTORY

Relevant Zoning Cases:

1. W-2539; RS-9 to RM-8-S; approved May 6, 2002; north side of Ardmore road southeast of Ebert Road; 15.04 acres; Planning Board and staff recommended approval.

2. W-2269; RS-9 to RM-8-S; approved April 5, 1999; southeast corner of Ardmore Road and Ebert Road; 27.53 acres; Planning Board and staff recommended approval.

3. W-2168; RS-9 to RS-Q-S; approved August 18, 1997; southwest side of Ardmore Road west of Ebert Road and east of Ralee Drive; 31.87 acres; Planning Board recommended approval, staff recommended denial.

4. W-2112; RS-9 to RM-8-S; approved December 2, 1996; northwest side of Falcon Point Drive and Penny Lane; 6.81 acres; Planning Board and staff recommended approval.

5. W-1232; R-4 to R-2-S; approved February 14, 1985; north side of Ardmore Road east of Ebert Road; 32.0 acres; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: The proposed site plan does not appear to significantly impact the site’s existing physical features. However, existing vegetation is not indicated on the site plan.

Topography: The subject property experiences an elevation change of about 94 feet, rising from about 728 feet along its eastern border up to about 822 feet in its southwest corner.

Streams: A branch of Salem Creek crosses the eastern section of the property. Salem Creek lies about 550 feet to the north of the subject property.

Vegetation/habitat: The subject property has some amount of existing vegetation, mostly in the southeast section.

Floodplains: Floodway Fringe area from a branch of Salem Creek lies along the eastern edge of the subject property. Additional floodway fringe area lies about 200 feet from the northern border of this site.

Environmental Resources Beyond the Site: The propose site plan should not significantly impact environmental resources beyond the site.

Water Supply Watershed: The site is not within the boundaries of a water supply watershed.

Compliance with Federal/State requirements for wetland/stream protection: The petitioner is responsible for complying with all Federal and State wetland and stream protection regulations.

TRANSPORTATION
Direct Access to Site:  Falcon Point Drive; Ebert Road; Ardmore Road
Street Classification:  Falcon Point Drive – Local Road; Ebert Road – Major Thoroughfare;
                      Ardmore Road – Minor Thoroughfare
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
                      Ebert Road between Ardmore Road and London Lane = 13,000/16,100
                      Ardmore Road between Ebert Road and Old Salisbury Road = 4,000/16,100
Trip Generation/Existing Zoning:  RS-9: 6.34 x 43,560/9,000 = 30 lots x 9.57 (SFR Trip Rate) = 287 Trips per Day
Trip Generation/Proposed Zoning:  RM-8-S: 15 units x 6.59 (Multi-Family Trip Rate) = 98 Trips per Day
Sidewalks:  None existing on adjacent streets
Transit:  Route 23 along Ebert Road, west of site
Bicycle Route:  Route 23, Idols Dam Connector, along Ebert Road, west of site

CONFORMITY TO PLANS

GMP Area (Legacy):  Suburban Neighborhoods (GMA 3)
Relevant Comprehensive Plan Recommendation(s):  Legacy recommends a variety of housing types and prices within neighborhoods. It also proposes residential infill development at higher densities, where appropriate, to make such development attractive to developers. Infill development makes use of land that already has a full complement of services and infrastructure and removes pressure for development on the rural fringe. Infill development should be done in such a way that it is an asset to existing surrounding neighborhoods.
Area Plan/Development Guide:  This site is not within an area plan or development guide area.

HISTORIC RESOURCES REVIEW

Comments:  Originally, there was a structure identified on the FCAI Survey maps located either on, or in the general vicinity of, the subject property. Staff has conducted a site visit and has determined that the building has been removed.
WINSTON-SALEM/FORSYTH COUNTY SCHOOLS

Winston-Salem/Forsyth County Schools have estimated this project, when completed, will add a total of 14 students to the system, as indicated by the following chart.

<table>
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<th>Project Number</th>
<th>Number of Units</th>
<th>Schools</th>
<th>Projected Students from Project</th>
<th>2004-2005 Enrolled Students</th>
<th>2004-2005 Projected Students with Accumulated Totals since 4/15/04</th>
<th>School Capacity</th>
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**ANALYSIS**

The current request is to rezone 6.34 acres from RS-9 to RM-8-S. The proposal requests only the Residential Building, Townhouse use. Proposed are 15 Townhouse units. The surrounding area is a mix of single family homes and multifamily structures. Currently the site is vacant and if the request is approved much of the site will remain undeveloped.

Traffic has been a major concern of developments in the area. Ebert Road is likely to be over capacity with the construction of multifamily developments since the Summer 2001 traffic counts. With this in mind, any new development would likely increase traffic in the area. However, the proposed project has a lower traffic generation than would be generated by the existing development potential. RS-9 development could generate up to 287 trips per day, whereas the subject request would generate 98 trips per day.

This is an appropriate example of residential infill development. It provides the developer and community with a housing choice that is different than the single family or multifamily in the area while maintaining the character of the area. Additionally, infrastructure is in place for the development. The proposed request is consistent with both the surrounding and *Legacy* recommendations for infill. The proposal also adds less traffic to a busy area than the current development potential would. For these reasons, staff recommends approval.

**FINDINGS**

1. The proposal requests only the Residential Building, Townhouse use.

2. Traffic has been a major concern of developments in the area, any new development would likely increase traffic in the area.
3. The proposed project has a lower traffic generation than would be generated by the existing development potential.

4. RS-9 development could generate up to 287 trips per day, whereas the subject request would generate 98 trips per day.

5. The proposed request is consistent with both the surrounding area and Legacy recommendations for infill.

**STAFF RECOMMENDATION**

Zoning: **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 should 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 plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

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**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, Eickmeyer, Folan, King, Lambe, Mullican, Norwood, Smith
    AGAINST: None
    EXCUSED: None

___________________________
A. Paul Norby, AICP
Director of Planning