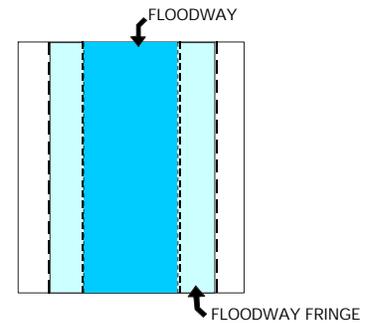


DOCKET #: W2507
 (Continued from 9/13/01
 CCPB meeting)

PROPOSED ZONING:
 RM12-S (Residential
 Building, Multifamily)

EXISTING ZONING:
 RS9

PETITIONER:
 Adams, Egloff, Avant
 for property owned by others



SCALE: 1" represents 600'

STAFF: Hughes

GMA: 3

ACRE(S): 13.01

MAP(S): 618842



DRAFT ZONING STAFF REPORT

DOCKET # W-2507

STAFF: Suzy Hughes

Petitioner(s): Adams Egloff Avant

Ownership: Kenneth I. Zimmerman, Betty K. Zimmerman, Irene Kimel, and Ruth T. Kimel

CONTINUANCE HISTORY

The petition was continued from the September 11, 2001 Planning Board Meeting so the petitioner could seek alternative legal counsel.

REQUEST

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf

To: RM-12-S Residential Multifamily District; maximum density 12 units/acre
(Residential Building, Multifamily)

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

Acreage: 13.01 acres

LOCATION

Street: West side of Ebert Road south of Interstate 40.

Jurisdiction: City of Winston-Salem.

Ward: South.

SITE PLAN

Proposed Use: Residential Building, Multifamily.

Building Height: Three story, 45 foot maximum.

Density: 11.07 units per acre.

Parking: Required: 291; proposed: 328.

Bufferyard Requirements: 15 foot type II adjacent to residential zoning.

Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is wooded, with no structures present.

Adjacent Uses:

North - I-40, and vacant property zoned RM-8-S farther north.

East - Cluster homes, zoned RS-9-S and vacant land, zoned RS-9.

Southwest - Single family subdivision (British Woods), zoned RS-9.
West - Vacant property, zoned RS-9 and single family subdivision (British Woods), zoned RS-9 farther west.

GENERAL AREA

Character/Maintenance: Well-maintained single family and multifamily homes.
Development Pace: Moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site would have to be cleared and graded.
Topography: Site slopes downward 70 feet to the west.
Streams: Bottom Branch Creek crosses the northwest corner of the petitioner's site.
Vegetation/habitat: Site is heavily wooded.
Constraints: Westernmost portion of site has steep slopes and floodplain.
Floodplains: Yes, Bottom Branch Creek.
Watershed: The site is not within the boundaries of a water supply watershed.

TRANSPORTATION

Direct Access to Site: Ebert Road.
Street Classification: Major thoroughfare.
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Ebert Road between Ebert Street and London Lane = 11,000/12,000
Trip Generation/Existing Zoning: RS-9
 $13.01 \text{ acres} / 9,000 = 62 \text{ lots} \times 9.57 = 593 \text{ average weekday trips}$
Trip Generation/Proposed Zoning: RM-12-S
 $156 \text{ units} \times 6.63 = 1,034 \text{ average weekday trips}$
Sidewalks: Proposed internal to the site.
Transit: WSTA route 23 along Ebert Road (adjacent to site) and Salem Crest Lane.
Bike: Route 23 along Ebert Road (adjacent to site).

HISTORY

Relevant Zoning Cases:

1. W-2464; RS-9 to RM-8-S (Residential Building, Multifamily); approved May 24, 2001; west side of Ebert Road south of Geneva Road; 20.75 acres; Planning Board and staff recommended approval.
2. W-2399; RS-9 to RSQ-S (Residential Building, Duplex); denied August 7, 2000; east side of Winslow Drive at its southern terminus; 0.83 acre; Planning Board and staff recommended approval.

3. W-2135; RS-9 to RM-12; approved March 3, 1997; north and south sides of Salem Crest Lane east of Ebert Road south of I-40; 5.83 acres; Planning Board and staff recommended approval.
4. W-2112; RS-9 to RM-8-S (Residential Building, Multifamily); approved December 2, 1996; northwest corner of Falcon Point Drive and Penny Lane; 6.81 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods

Relevant Comprehensive Plan Recommendation(s): The petitioner's site is located within the municipal services area in the suburban neighborhoods growth management area. *Legacy* encourages infill development at higher densities within the municipal services area. The infill should be designed to be compatible with the character of the surrounding neighborhood.

Area Plan/Development Guide: The site is not within the boundaries of a development guide or an area plan.

GREENWAY/RECREATION/OPEN SPACE REVIEW

Greenway Plan: Draft Greenway Plan.

Greenway/Trail Name: Proposed Bottom Branch Creek.

Easement Requested: 40 foot greenway easement.

Side of Creek: East.

Comments/Status of Trail: This site is traversed by Bottom Branch Creek, a tributary of Salem Creek. This creek was not identified in *Vision 2005* or *Legacy* for a greenway trail. However, the recently completed draft Greenway Plan recommends that all creeks with identified floodplains be designated Greenway Corridors. Bottom Branch Creek falls in this category. Forty foot easements are recommended along Greenway Corridors. Adjacent to this site is British Woods Park which is city-owned open space. Bottom Branch Creek continues through the park. Multifamily residential development could benefit from a walking trail along the creek in this area. The draft greenway plan is not an adopted plan.

ANALYSIS

The petitioner has submitted a request to rezone 13.01 acres from RS-9 to RM-12-S (Residential Building, Multifamily). RM-12-S zoning would allow for a maximum of 156 units. There are 144 units shown within 10 buildings, for a density of 11.07 units per acre.

The area generally consists of a mixture of single family and multifamily residential uses and zoning districts. On May 24, 2001 a RM-8-S multifamily development was approved by the Board of Aldermen just north of I-40 near the current site. The current petition is located

adjacent to I-40 on the south side of the highway. Although locations along major thoroughfares are sometimes considered suitable for multifamily development, such areas may alternatively be developed for single family uses. In this context staff does not presume that all sites located next to major thoroughfares are unsuited for single family developments. Indeed, throughout the county many new single family residential are located along major thoroughfares.

Legacy calls for infill development at higher densities within the municipal services area. *Legacy* also states that such infill should be compatible with the existing neighborhood and address the concerns of existing residents in the area.

In this area, traffic is a major concern and the proposed zoning would increase the potential number of daily trips from 593, as anticipated under the current RS-9 zoning, to 1034 with the proposed RM-12-S. Strong citizen concern about traffic problems in the area from neighborhoods adjacent to Ebert Road was voiced during consideration of nearby case W-2464 recently by the Board of Aldermen. With current traffic volumes along Ebert Road at 11,000 vehicles per day, the maximum capacity of the road has nearly been reached. This does not include additional traffic that could be created RM-8-S zoning approved in W-2464. That multifamily zoning will generate approximately 1,100 new trips per day.

Recognizing the existence of other multifamily zoning in the area, staff is generally supportive of multifamily zoning at the current location. Staff is mindful, however, not to promote additional traffic volumes beyond that which might otherwise occur under the existing RS-9. While Planning staff finds the proposed RM-12 densities to be unacceptable, we may alternatively support a properly designed RM-8 zoning request which does not generate more traffic than the current RS-9. Staff notes that multifamily developments typically generate fewer trips per household than single family; i.e. 6.63 trips per unit per day for multifamily versus 9.57 trips per unit per day for single family.

FINDINGS

1. *Legacy* encourages infill development at higher densities within the municipal services area.
2. There is a mixture of multifamily and single family residential uses in the area.
3. Traffic is currently a problem on Ebert Road and certain nearby streets which connect with Ebert Road.
4. Traffic generation at RM-12 densities given the current traffic situation is unacceptable.
5. Staff may support a well-designed RM-8 density request that would not increase traffic counts greater than the current RS-9 zoning.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

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. Limits of grading along the stream defining the western edge 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 City 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 and all access and utility easements.
 - c. Developer shall dedicate a forty (40) foot greenway easement to the City of Winston-Salem along Bottom Branch Creek. Planning staff shall approve the location of said greenway easement.
 - d. Proposed driveway shall line up with Salem Crest Lane.
 - e. Developer shall establish negative access easements along Ebert Road.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Developer shall install road improvements on Ebert Road to the specifications of the City of Winston-Salem.
 - b. Developer shall install sidewalks along Ebert Road to the specifications of the City of Winston-Salem.
 - c. Developer shall establish a transit stop along Ebert Road.
 - d. All required fire hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.

- **OTHER REQUIREMENTS**
 - a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet.

PUBLIC HEARING - September 13, 2001

FOR: None

AGAINST: None

WORK SESSION

MOTION: Terry Powell moved continuance of the zoning map amendment and site plan to October 11, 2001.

SECOND: Jimmy Norwood

VOTE:

FOR: Bost, Clark, Doyle, King, Norwood, Powell, Snelgrove

AGAINST: None

EXCUSED: None

PUBLIC HEARING - October 16, 2001

FOR: None

AGAINST: None

WORK SESSION

MOTION: John Bost moved withdrawal of the zoning map amendment and site plan.

SECOND: Kem Schroeder

VOTE:

FOR: Bost, Clark, Doyle, King, Norwood, Schroeder, Snelgrove

AGAINST: None

EXCUSED: Avant

A. Paul Norby, AICP
Director of Planning