DOCKET #: F1494

PROPOSED ZONING: Site plan Amendment

EXISTING ZONING: RS20-S

PETITIONER: Benchmark Holdings LLC for property owned by Same

SCALE: 1" represents 800'

STAFF: Roberts

GMA: 4

ACRES: 1.49

NEAREST BLDG: 374' west

MAP(S): 588814
January 23, 2008

Benchmark Holdings, LLC
Stephen M. Frucht
1040 Kestwick Drive
Clemmons, NC  27012

RE:     SITE PLAN AMENDMENT F-1494

Dear Mr. Frucht:

    The attached report of the Planning Board to the City Council is sent to you at the request of the Board of Commissioners. You will be notified by the Secretary to the Board of Commissioners of the date on which the Commissioners will hear this petition.

    Sincerely,

                                A. Paul Norby, FAICP
                                Director of Planning

pc:    Jane Cole, Forsyth County Government Center - 5th Floor, 201 N. Chestnut Street,
       Winston-Salem, NC  27101
MEETING DATE: ________________________ AGENDA ITEM NUMBER: _______

SUBJECT:-

A. Public Hearing on Site Plan Amendment of Benchmark Holdings, LLC for a RS-20-S (Residential Building, Single Family; and Planned Residential Development) zoned site: property is located on the west side of Salem Glen Boulevard south of Dock Davis Road (Zoning Docket F-1494).

B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning Map.

C. Approval of Special Use District Permit

D. Approval of Site Plan

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

After consideration, the Planning Board recommended approval of the site plan amendment.

ATTACHMENTS:-    X    YES    ___ NO

SIGNATURE: ___________________________________________ DATE: _______________

County Manager
COUNTY ORDINANCE - SPECIAL USE

Site Plan Amendment of Benchmark Holdings, LLC, Docket F-1494

AN ORDINANCE AMENDING THE FORSYTH COUNTY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF FORSYTH COUNTY, N.C.

_________________________________

BE IT ORDAINED by the Board of Commissioners of Forsyth County as follows:

Section 1. The Forsyth County Zoning Ordinance and the Official Zoning Map of Forsyth County, N.C. are hereby amended by granting a Site Plan Amendment for property zoned RS-20-S (Residential Building, Single Family; and Planned Residential Development) - Site Plan Amendment] and described as follows:

Tax Lot 14, Tax Block 4203J

Section 2. This Ordinance is adopted after approval of the site plan entitled Woodmont and identified as Attachment "A" of the Special Use District Permit issued by the Board of Commissioners the ______ day of __________________, to Benchmark Holdings, LLC.

Section 3. The Board of Commissioners 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 Woodmont. 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 Board of Commissioners of Forsyth County

The Board of Commissioners of Forsyth County issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Benchmark Holdings, LLC, (Zoning Docket F-1494). 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 RS-20-S (Residential Building, Single Family; and Planned Residential Development - Site Plan Amendment), approved by the Forsyth County Board of Commissioners the ______ day of __________________, 20____" and signed, provided the property is developed in accordance with requirements of the RS-20-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 clearing for the entire site shall be flagged in the field.
  b. Developer shall obtain water quality approval for stream disturbances from the Department of Environment and Natural Resources if required by the Erosion Control Officer.
  c. Developer shall obtain driveway permit from NCDOT; additional improvements may be required prior to issuance of permit.

- **PRIOR TO THE SIGNING OF PLATS**
  a. All documents including covenants, restrictions, and homeowner’s association agreements shall be recorded in the office of the Register of Deeds.
  b. All required fire hydrants shall be installed or bonded in accordance with the Forsyth County Fire Department. The cul-de-sac at the end of Oak Ridge Court shall be 80’ in diameter.
  c. Developer shall install or financially guarantee all streets as shown on the revised site plan to the specification of the City of Winston-Salem Public Works Department.
  d. Negative access easements along Dock Davis Road shall be recorded.
  e. Developer shall provide recorded agreement allowing access onto Salem Glen Boulevard.
• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. Developer shall record a final plat in the office of the Register of Deeds.
CITY-COUNTY PLANNING BOARD
STAFF REPORT

PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>F-1494</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Benchmark Holdings, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 14 / Tax Block 4203J</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Site Plan Amendment for property zoned RS-20-S</td>
</tr>
</tbody>
</table>
| Proposal | The petitioner is requesting a Site Plan Amendment to the existing RS-20-S zoned property. The list of permitted uses established for this RS-20-S in 2004 included:  
- Residential Building, Single Family; and Planned Residential Development |

Zoning District Purpose Statement

The RS-20 District is primarily intended to accommodate single family detached dwellings in suburban areas and may also be applicable to older, large lot development constructed prior to the effective date of this Ordinance. The district is established to promote orderly development in areas where public water is available. This district is intended for application in Growth Management Areas 2, 3, and 4.

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

| Location | Southwest corner of Dock Davis Road and Salem Glen Boulevard |
| Jurisdiction | Forsyth County |
| Site Acreage | Approximately ± 1.49 acres within the original 44.96 acres of F-1412 |
| Current Land Use | The site is currently undeveloped |

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AG &amp; RS-40</td>
<td>Undeveloped and single family homes</td>
</tr>
<tr>
<td>East</td>
<td>AG</td>
<td>Undeveloped and single family homes</td>
</tr>
<tr>
<td>South</td>
<td>AG</td>
<td>Golf course</td>
</tr>
<tr>
<td>West</td>
<td>AG &amp; RS-40</td>
<td>Undeveloped and single family homes</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</td>
<td>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</td>
<td></td>
</tr>
<tr>
<td>---</td>
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<td></td>
</tr>
<tr>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Physical Characteristics</td>
<td>The site is partially wooded and has a moderate slope downward to the east.</td>
<td></td>
</tr>
<tr>
<td>Proximity to Water and Sewer</td>
<td>Public water is available and private sewer is available to the overall development.</td>
<td></td>
</tr>
<tr>
<td>Stormwater/Drainage</td>
<td>No known issues.</td>
<td></td>
</tr>
<tr>
<td>Watershed and Overlay Districts</td>
<td>The site is located within the Balance of the Yadkin River WS IV water supply watershed area. The proposed subdivision complies with the watershed regulations in that the proposed density is less than 2 units per 40,000 sf.</td>
<td></td>
</tr>
<tr>
<td>Analysis of General Site Information</td>
<td>The site is adequate for single family residential development provided that either the nearby private sewer system is accessed or on-site septic systems are approved.</td>
<td></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>Autumnwood Court via a 30’ access easement</td>
<td>Local street</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Salem Glen Boulevard</td>
<td>Private street</td>
<td>466’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Proposed Access Point(s)</td>
<td>The site plan shows the three lots being accessed by the extension of an existing 30’ access easement which runs parallel to Salem Glen Boulevard (private). Based on discussions with the site plan preparer, it is anticipated the revised site plan will show the removal of this easement with the access for each lot being directly onto Salem Glen Boulevard.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Trip Generation - Existing/Proposed | Existing Zoning: RS20-S (1 lot)  
1 unit x 9.57 (SFR Trip Rate) = 10 Trips per Day |
| | Proposed Zoning: RS20-S (3 lots)  
3 units x 9.57 (SFR Trip Rate) = 29 Trips per Day |
| Sidewalks | The inclusion of sidewalks, which is now a requirement along one side of the street, was specifically not required when the original development was approved in 2004. |
| Connectivity | The originally approved site plan (F-1412) and the current site plan illustrate a connection of Autumnwood Court to Salem Glen Boulevard, which is a private street. However, upon visiting the site it was observed this connection has not taken place. |
| Analysis of Site Access and Transportation Information | The site plan shows the approved lot, which is proposed for division into three lots, fronting on Salem Glen Boulevard yet being accessed onto Autumnwood Court via a 30’ access easement. Because, as noted above, the approved subdivision does not physically connect to Salem Glen Boulevard, there are now 73 lots which only have one access point onto Dock Davis Road. Staff is supportive of the current request to add two lots if all three lots are accessed by Salem Glen Boulevard and not from Autumnwood Court. |
| Generalized Recommended Conditions | BRIEF DESCRIPTION OF CONDITION(S):
- Condition demonstrating approval of access onto Salem Glen Boulevard |
| **CONFORMITY TO PLANS AND PLANNING ISSUES** | |
| **Legacy GMA** | Growth Management Area 4, Future Growth Area |
| **Relevant Legacy Recommendations** | • Legacy promotes growth in the Future Growth Area that is timed with the provision of urban infrastructure and services. |
| **Area Plan Recommendations** | The CADG recommends the subject property be developed with one-half (1/2) acre lot single family residential uses. |
| **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? The adjacent private street Salem Glen Boulevard has been constructed. |
| **(S)(4) - Is the requested action in conformance with Legacy?** | See comments below |
| **Analysis of Conformity to Plans and Planning Issues** | The requested Site Plan Amendment is to permit the division of one 1.49 acre lot zoned RS-20-S into three separate lots. The approved plan shows this lot being accessed by a 30’ access easement. Planning staff did not support the original request due to the combination of poor internal connectivity, the use of flag lots, double frontage lots and private access easements, and no feasible opportunity for accessing public sewer service. As noted previously, because the subdivision does not actually connect to Salem Glen Boulevard, as shown on the approved plan, there are now 73 lots which only have one access point onto Dock Davis Road. In order to avoid adding even more lots to neighborhood with only one access point, Planning staff can support the subject request if the three lots are accessed by Salem Glen Boulevard and not from Autumnwood Court. |
| **Generalized Recommended Conditions** | BRIEF DESCRIPTION OF CONDITION(S):
- See previously approved conditions below |
### 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>F-1412</td>
<td>AG &amp; RS-40 to RS20-S</td>
<td>Approved 7-26-04</td>
<td>Included current site</td>
<td>44.96</td>
<td>Denial, Approval</td>
</tr>
</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Units (by type) and Density</th>
<th>75 single family units on 44.96 acres = 1.67 units per acre for the overall development</th>
</tr>
</thead>
<tbody>
<tr>
<td>UDO Sections Relevant to Subject Request</td>
<td></td>
</tr>
</tbody>
</table>
  - Chapter B, Article II, Section 2-1.2 (E) RS-20 District  
  - Chapter C, Article IV, Watershed Protection |
| Complies with Chapter B, Article VII, Section 7-5.3 | (A) *Legacy policies:* See comments above  
(B) *Environmental Ord.* Yes  
(C) *Subdivision Regulations* Yes |
| Analysis of Site Plan Compliance with UDO Requirements | The revised site plan complies with the requirements of the UDO. |
| Generalized Recommended Conditions | BRIEF DESCRIPTION OF CONDITION(S):  
  - See previously approved conditions below |

### 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 request will allow for 2 additional building sites.</td>
<td>The proposed additional lots are proposed along with the deletion of the previously approved connection of Autumnwood Court to Salem Glen Boulevard.</td>
</tr>
</tbody>
</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are based upon the previously approved site plan, F-1412 and from interdepartmental review comments. They are proposed in order to meet codes or established standards, or to reduce negative off-site impacts. Some of these conditions may have already been addressed and complied with.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  a. Limits of clearing for the entire site shall be flagged in the field.
  b. Developer shall obtain water quality approval for stream disturbances from the Department of Environment and Natural Resources if required by the Erosion Control Officer.
  c. Developer shall obtain driveway permit from NCDOT; additional improvements may be required prior to issuance of permit.

- **PRIOR TO THE SIGNING OF PLATS**
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d. Negative access easements along Dock Davis Road shall be recorded.

e. Developer shall provide recorded agreement allowing access onto Salem Glen Boulevard.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. Developer shall record a final plat in the office of the Register of Deeds.

STAFF RECOMMENDATION: APPROVAL provided the three proposed lots are accessed by Salem Glen Boulevard.

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: Paul Mullican moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Wesley Curtis

VOTE:
  FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith
  AGAINST: None
  EXCUSED: None

According to information furnished on December 10, 2007 by the Office of the Tax Assessor, the subject property was in the name of Benchmark Holdings, LLC.

A. Paul Norby, FAICP
Director of Planning