DOCKET #: F1417a

PROPOSED ZONING: MU-S (Multiple Uses)

EXISTING ZONING: RS9

PETITIONER: Tribek Properties for property owned by Others

SCALE: 1" represents 400'

STAFF: Murphy

GMA: 3

ACRE(S): 34.14

MAP(S): 594862 594866
July 20, 2005

Tribeck Properties
c/o Doug Stimmel
601 N. Trade Street
Winston-Salem, NC  27101

RE:  ZONING MAP AMENDMENT F-1417a

Dear Mr. Stimmel:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners.

When the rezoning is scheduled for public hearing, you will be notified by Jane Cole, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, AICP
Director of Planning

Attachment

pc:  Jane Cole, County Manager's Office
Brenda R. Hockaday, et al., 2115 Olivet Church Road, Winston-Salem, NC  27106
Larry D. and Johnnie Robbins, 3451 Stimpson Drive, Pfafftown, NC  27040
John K. & Lisa J. Kennedy, 400 Ashby Run Drive, Winston-Salem, NC  27106
Joe Vestal Ingram & Kate V. James, 519 Glendale Drive, Richmond, VA  23229
Henry L. & Mary Yarbrough, 1405 Chickasha Road, Pfafftown, NC  27040
B. Pratt Scroggs, 5315 Fleetwood Circle, Winston-Salem, NC  27106
Thomas R. Atwood, 1510 Attanook Drive, Winston-Salem, NC  27106
Archie R. & Wanda J. Alexander, 2131 Olivet Church Road, Winston-Salem, NC  27106
Jerry Hollingsworth, 2251 Olivet Church Road, Winston-Salem, NC  27106
FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _________________________ AGENDA ITEM NUMBER: _______

SUBJECT: -

A. Public Hearing on Zoning Map Amendment of Tribeck Properties for property owned by Brenda R. Hockaday, Barbara R. Kiger, Treva D. Robbins, Martha R. Fishel, Debra R. Mabe, Marsha R. Walker, Larry D. and Johnnie Robbins, John K. and Lisa J. Kennedy, Joe Vestal Ingram, Kate V. James, Henry L. and Mary Yarbrough, B. Pratt Scroggs, Thomas R. Atwood, Archie R. and Wanda J. Alexander from RS-9 to MU-S (Shopping Center; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Multifamily; and Residential Building, Single Family): property is located on the north side of Olivet Church Road at Fleetwood Circle (Zoning Docket F-1417a).

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 rezoning petition.

ATTACHMENTS: -  X  YES  ___ NO

SIGNATURE: ________________________________ DATE: ________________

County Manager
COUNTY ORDINANCE - SPECIAL USE


AN ORDINANCE AMENDING
THE FORSYTH COUNTY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF
THE COUNTY OF FORSYTH,
NORTH CAROLINA

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

Section 1. The Zoning Ordinance of the Unified Development Ordinances of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from RS-9 to MU-S (Shopping Center; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Multifamily and Residential Building, Single Family) the zoning classification of the following described property:

Tax Block 4666 Tax Lot 8

Section 2. This Ordinance is adopted after approval of the site plan entitled Tribeck Properties/Robinhood Village, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of ________________, 20_____ to Tribeck Properties for property owned by Brenda R. Hockaday, Barbara R. Kiger,

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 Tribeck Properties/Robinhood Village. 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.
COUNTY, SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the Forsyth County
Board of Commissioners

The Forsyth County Board of Commissioners issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Tribeck Properties for property owned by Brenda R. Hockaday, Barbara R. Kiger, Treva D. Robbins, Martha R. Fishel, Debra R. Mabe, Marsha R. Walker, Larry D. and Johnnie Robbins, John K. and Lisa J. Kennedy, Joe Vestal Ingram, Kate V. James, Henry L. and Mary Yarbrough, B. Pratt Scroggs, Thomas R. Atwood, Archie R. and Wanda J. Alexander (Zoning Docket F-1417a). 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 MU-S (Shopping Center; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Multifamily and Residential Building, Single Family), 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 MU-S zoning district of the Zoning Ordinance of the Unified Development Ordinances of the County Code, the Erosion Control Ordinance, and other applicable laws, and the following conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  a. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department.
  b. Limits of clearing for the entire site shall be flagged in the field.
  c. Developer shall obtain water quality approval for stream disturbances from the Department of Environment and Natural Resources if required by the Erosion Control Officer.
d. Developer shall provide the information necessary to comply with the requirements of the Architectural Resources Documentation Requirements checklist to Historic Resources staff for the Doub/Pratt house prior to demolition. This checklist is available from the City-County Planning Board staff.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to the issuance of a driveway permit. Provide additional low-walls or screening alternative, as approved by Planning Staff, along relocated Fleetwood Circle between the street and parking areas, except for Outparcel #5, which will be addressed at the Final Development Plan stage.

• 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. Relocate the proposed exterior sidewalks into the right-of-way or provide public access and maintenance easements;

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. All road improvements shall be completed prior to the issuance of occupancy permits.
  b. All Fire Hydrants shall be installed in accordance with the Forsyth County Fire Department.
  c. Sidewalks along the full frontage of the property along Attanook Road, Fleetwood Circle, Robinhood Road, and Olivet Church Road shall be installed to the specifications of the Public Works Department of the City of Winston-Salem.
  d. Developer shall install or financially guarantee large variety street trees as defined in UDO Section 3-4.10, along both sides of all streets, within street yards, bufferyards and motor vehicle parking areas where no conflict occurs with overhead utility lines.

• OTHER REQUIREMENTS
  a. All uses and square footages shall match those indicated in the associated Traffic Impact Study. A Site Plan Amendment will be required for any changes not in keeping with those calculations and a new TIS may need to be submitted as part of the Site Plan Amendment process.
  b. All outparcels shall only have access from roads internal to the subject property site and shall not have access from Attanook Road, Robinhood Road, and Olivet Church Road.
  c. Freestanding signage for the shopping center shall be limited to two signs with a maximum height of 18 feet and a maximum copy area of 100 square feet each, per side. Said signs shall be located at least 300 feet apart. Freestanding signage for each outparcel shall be limited to one sign with a maximum height of six (6) feet.
Freestanding signage for the residential development shall be limited to two signs on either side of the entrance onto Olivet Church Road with a maximum height of six (6) feet and a maximum area of 36 square feet each.

d. Provide missing sidewalk linkages (connection between public and private sidewalk near Olivet Church Road; linkage between front and back sidewalk along west end of retail stores; northern end of eastern most office and Attanook Drive; northern frontage of Outparcel #5; and frontage of proposed open space to Robinhood Road;

e. Provide a consistent 10’ minimum sidewalk width in traffic circle area;

f. Add crosswalks at Attanook/Fleetwood Circle intersection and at all four (4) crossing points at main entrance along Robinhood/Meadowlark;

g. TWO PHASE buildings should be oriented toward the private drive when submitted for Final Development Plan approval, as determined by Planning Staff. These buildings should not turn their back on Robinhood and Olivet Church Road, but have two “fronts.” In this context, the two “fronts” does not refer to two sets of doors, windows, etc., but rather providing consistent materials and design for both the front and back of the buildings and hiding/screening the building mechanicals from view from the public rights-of-way; and

h. Volunteered design conditions for the use of similar materials and architectural style between the shopping center, multifamily and office (FIRST PHASE) components and the TWO PHASE outparcels. All proposed buildings in the development shall have similar design and materials and shall be substantially consistent with the architectural renderings and/or elevations submitted by the developer.
ZONING STAFF REPORT

DOCKET #  F-1417a
STAFF        Chris Murphy

Petitioner(s): Tribeck Properties
Ownership: Brenda R. Hockaday, Barbara R. Kiger, Treva D. Robbins, Martha R. Fishel,
Debra R. Mabe, Marsha R. Walker, Larry D. and Johnnie Robbins, John K. and
Lisa J. Kennedy, Joe Vestal Ingram, Kate V. James, Henry L. and Mary
Yarbrough, B. Pratt Scroggs, Thomas R. Atwood, Archie R. and Wanda J.
Alexander

REQUEST

From: RS-9 Residential Single Family District; 9,000 sf minimum lot size
To: MU-S Mixed Use District - Special Use (Shopping Center with limited uses;
Residential Building, Townhouse; Residential Building, Twin Home; Residential
Building, Duplex; Residential Building, Multifamily; and Residential Building,
Single Family - TWO PHASE)

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

Acreage: 34.14 acres

LOCATION
Street: North of Robinhood Road and Fleetwood Circle between Attanook Drive and Olivet
Church Road.
Jurisdiction: Forsyth County.

SITE PLAN
Proposed Use: Shopping Center with limited uses; Residential Building, Townhouse;
Residential Building, Twin Home; Residential Building, Duplex; Residential Building,
Multifamily; and Residential Building, Single Family.

Square Footage:
115,000 sf of Retail and Food Store
14,820 sf of Drug Store
10,500 sf of Office

Building Height: 60’ Maximum/Unlimited with additional setbacks from RS and RM zoned
property.

Density:
202 units on 14.4 acres = 14.03 units/acre (on MF and Office portions)
202 units on 34.14 acres = 5.92 units/acre (on overall site)

Parking:
Required: Phase 1 = 996; Phase 2 = Determined at Final Development Plan (FDP)
Proposed: Phase 1 = 1,018; Phase 2 = Determined at Final Development Plan (FDP)
Bufferyard Requirements: A 15’ type III buffer is required adjacent to RS-9 property. This buffer has been provided.

**PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Several residential and associated structures exist on site, including the Doub-Pratt House that is listed on the Forsyth County historic inventory (see Historic Resources Review).

Adjacent Uses:

- **North**: Sparsely developed residential zoned RS-9.
- **Northeast**: Sparsely developed residential zoned RS-9.
- **East**: Sparsely developed residential zoned RS-9.
- **Southeast**: Primarily consists of developed residential, but also includes Old Vienna Fire Station; all properties are zoned RS-9.
- **South**: Sparsely developed residential zoned RS-9 on the south side of Robinhood Road; north of Robinhood Road is a small island of LB-S zoned property with a convenience store.
- **Southwest**: Moderately developed commercial on each side of Robinhood Road at the intersection of Olivet Church Road, zoned LB.
- **Northwest**: Sparsely developed residential zoned RS-9.

**GENERAL AREA**

Character/Maintenance: The area around the subject property is low density and suburban in nature with a sprinkling of commercial uses. However, with the approval of the property locally known as “Brookberry Farm” and with the forthcoming beltway, the character and development pattern of the area is subject to change over the next several years.

Development Pace: Slow to moderate.

**HISTORY**

Relevant Zoning Cases:

1. F-1417; RS-9 to HB-S Highway Business District (Shopping Center - TWO PHASE & RM-18-S (Residential Building, Multifamily and Residential Building, Townhouse)-TWO PHASE; denied November 8, 2004; north sides of Robinhood Road and Fleetwood Circle, on the west side of Attanook Road, and on the east side of Olivet Church Road; 28.9 acres, portion of current site; Planning Board and staff recommended denial.

2. F-1406; RS-9 to HB-S Highway Business District (Shopping Center - TWO PHASE) & RM-18-S (Residential Building, Multifamily and Residential Building, Townhouse - TWO PHASE; withdrawn at May 13, 2004 Planning Board meeting; north sides of Robinhood Road and Fleetwood Circle, on the west side of Attanook Road, and on the east side of Olivet Church Road; 28.9 acres, portion of current site; Planning staff did not provide a staff report due to the timing of the petitioners requests for continuance and withdrawal.
3. F-1392; RS-9 and RS-9-S to MU-S (Multiple Uses - TWO PHASE); approved November 10, 2003; primarily east of Meadowlark Drive between Country Club Road and Robinhood Road; 795 acres; Planning Board and staff recommended approval.

4. F-1259; RS-9 to LB; approved May 24, 1999; off the north side of Robinhood Road and off the west side of Olivet Church Road near their intersection; 1.02 acres; Planning Board and staff recommended approval.

5. F-1146; RS-9 to LB; approved February 12, 1996; property located on north side of Robinhood Road east of Lyndale Drive; 0.21 acre; both Planning Board and staff recommended approval.

6. F-1039; R-6 to B-3-S (Multiple Uses); denied February 8, 1993; property located north of Robinhood Road and east of Olivet Church Road; 13.3 acres; Planning Board and staff recommended approval.

7. F-943; R-6 to B-3-S; denied October 9, 1989; property located south of Robinhood Road across from Olivet Church Road; 15.13 acres; Planning Board and staff recommended approval.

8. F-933; R-6 to B-3-S (Multiple Uses); denied October 9, 1989; property located north of Robinhood Road with frontage on Fleetwood Circle and Olivet Church Road; 21.8 acres; Planning Board recommended denial and staff recommended approval.

9. F-635; R-6 to B-3-S (Stores or Shops, Retail) converted to LB-S in UDO; approved May 22, 1983; property located north of Robinhood Road west of Fleetwood Circle; 0.7 acre; Planning Board and staff recommended approval.

10. F-449; R-6 to B-3 (converted to LB in UDO); approved July 18, 1977; property located on the north side of Robinhood Road west of Olivet Church Road; 1.1 acres; Planning Board recommended approval and the Planning staff recommended denial citing a fear of commercial strip zoning further out Robinhood Road.

11. F-436; R-5 to B-3 (converted to LB in UDO); approved March 7, 1977; property located on the west side of Olivet Church Road north of Robinhood Road; 0.75 acre; Planning Board recommended approval and Planning staff recommended denial citing a fear of commercial strip zoning further out Olivet Church Road.

12. F-040; R-6 to B-3 (converted to LB in UDO); approved February 5, 1968; property located at and between the intersection of Olivet Church Road and Robinhood Road; 2.75 acres; both the Planning Board and staff recommended approval.
PHYSICAL FEATURES ENVIRONMENTAL REVIEW

Impact on Existing Features: The proposed site plan will add impervious surfaces while removing existing vegetation from the subject property.

Topography: Gentle to steep slope downward of ±70 feet from the eastern section of the site to the north-central section of the site near Hardwood Drive.

Streams: As identified on the Forsyth County Topographical Maps, a creek that eventually feeds into James Branch crosses the northwestern section of the subject property (in Tract 2).

Vegetation/habitat: Some amounts of vegetation are identified on the subject property, especially in the northeastern section of the site.

Floodplains: None.

Wetlands: None – Winston-Salem West Quad.

Environmental Resources Beyond The Site: The proposed site plan does not appear to significantly impact environmental resources beyond the site.

Water Supply Watershed: The subject property is not located in a water supply watershed.

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

HISTORIC RESOURCES REVIEW

Historic Resources: Yes.

Inventory #/Name: Inventory #315/Doub-Pratt House.

National Register: No

Local Landmark: No

Historic District: No

Comments: The rear ell (wing) of the Doub-Pratt House is a two-room, oak log house built by David Doub, a Methodist circuit rider in the 1860s. John Pratt bought the house from the Doub family and constructed the two-story, three bay house in 1905, using Doub’s early to mid-19th century house as the rear ell.

TRANSPORTATION

Direct Access to Site: Olivet Church Road; Robinhood Road; Fleetwood Circle

Street Classification: Olivet Church Road - Minor Thoroughfare; Robinhood Road - Major Thoroughfare; Fleetwood Circle - Collector Road.

Traffic/Estimated Capacity at LOS D: Olivet Church Road (between Robinhood & Spicewood) = 5,900/16,100; Robinhood Road (between Olivet & Meadowlark) = 8,300/22,100

Trip Generation w/ Existing Zoning: 34.14a x 43,560/9,000 = 165 units x 9.57 (SF Trip rate) = 1,581 Trips

Trip Generation w/ Proposed Zoning: Retail Shops = 2,683 trips/day (62,500/1,000 x 42.92 rate)

Supermarket = 5,854 trips/day (52,500/1,000 x 111.51 rate)

Pharmacy w/ Drive-Thru = 1,306 trips/day (14,820/1,000 x 88.16 rate)

General Office Use = 116 trips/day (10,500/1,000 x 11.01 rate)

Residential, Multi Family = 1,338 trips/day (203 units x 6.59 rate)

Outparcels = TWO PHASE Approval (can not be determined)

TOTAL = 11,297 trips/day (excluding outparcels/TWO PHASE)
Planned Road Improvements: Robinhood Road from Shattalon Drive to the Northern Beltway; from 2 lanes to 3 lanes; 2015-2020
Sight Distance: Adequate; the intersection of Olivet Church Road at Robinhood Road has restrictions due to the angle of the intersection.
Interior Streets: A mix of public and private streets are used, as well as parking lots.
Traffic Impact Study: Yes - applicant has submitted a detailed TIS that has been reviewed by both NCDOT and WSDOT. The improvements shown are consistent with the recommendation of the TIS.
Connectivity of street network: Good, although additional public streets through the western portion of the commercial area and the Multi Family area would improve the overall design.
Sidewalks: None existing; an extensive sidewalk system is proposed within the development, as well on the exterior streets bordersing the project.
Traffic Calming: Textured paving at select pedestrian crossings within the development is illustrated per the site plan.
Transit: None
Bicycle Route: None

CONFORMITY TO PLANS

Growth Management Area (Legacy): Suburban Neighborhoods (GMA 3)
Relevant Legacy Recommendation(s): Legacy recommends the development of compact, walkable, mixed-use commercial activity centers. Legacy supports neighborhood serving commercial in close proximity to residential areas. Legacy also calls for existing neighborhoods to be preserved and revitalized and protected from inappropriate commercial encroachment.
Area Plan/Development Guide: The subject property is not located within the boundaries of an area plan or development guide. However, a recent amendment to Legacy, completed by Planning staff and adopted by the Planning Board and County Commissioners, recommends that this site be the location of a Community Activity Center (CAC) if the proposed development substantially conforms to various design guidelines outlined in that study.

WINSTON-SALEM/FORSYTH COUNTY SCHOOLS

Winston-Salem/Forsyth County Schools have estimated this project, when completed, will add a total of 84 students to the system, as indicated by the following chart.

<table>
<thead>
<tr>
<th>Project</th>
<th>Number Units</th>
<th>Schools</th>
<th>Projected Students from Project</th>
<th>Projected Students with Accumulated Totals since 4/15/05</th>
<th>School Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>F-1417a</td>
<td>202</td>
<td>Vienna ES</td>
<td>39</td>
<td>698</td>
<td>737</td>
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<tr>
<td></td>
<td></td>
<td>Jefferson MS</td>
<td>19</td>
<td>1,044</td>
<td>1,063</td>
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4/15/05
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<th>Project Number</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 4/15/05</th>
<th>School Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reagan HS</td>
<td>26</td>
<td>819</td>
<td>845</td>
<td>1,200</td>
</tr>
</tbody>
</table>

**ANALYSIS**

This request is to rezone 34.14 acres from RS-9 to MU-S, Mixed Use District, Special Use (Shopping Center with limited uses; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Multifamily; and Residential Building, Single Family - TWO PHASE). The property is located on the north side of Robinhood Road and Fleetwood Circle between Attanook Drive and Olivet Church Road. A rezoning request (F-1417) encompassing 28.9 acres (all of the 28.9 acres is included in the current request) was considered last year. That request was to rezone from RS-9 to HB-S (Shopping Center - TWO PHASE) and RM-18-S (Residential Townhouse and Multifamily - TWO PHASE). The Planning Board and staff both recommended denial of the previous request and the project was denied by the Board of County Commissioners. The denial of the previous request (F-1417) centered on continued uncertainty regarding the location of the Northwest Metro Activity Center (MAC), as well as the overall design of the project.

*Legacy* proposed nine (9) compact, walkable, mixed-use development concentrations known as MACs around the County. One of these MACs was located along Robinhood Road near the future interchange with the Northern Beltway. Upon consideration and approval of the Brookberry Farms development on Meadowlark Drive in 2003, the County Commissioners asked Planning staff to examine the location of the MAC on Robinhood Road and determine if it should be moved to the Country Club Road area. Staff undertook this effort during the Summer and Fall of 2004, with the Board of County Commissioners approving the relocation of the MAC to Country Club Road on January 24, 2005.

As part of the MAC relocation study, staff determined that a smaller-scale, Community Activity Center (CAC) would be appropriate along Robinhood Road near the Olivet Church Road/Meadowlark Road intersection to serve the anticipated future growth of the area. The County Commissioners adopted this CAC, along with recommended CAC design guidelines, on the same date (January 24, 2005).

As mentioned previously, design is a key consideration for all scales/sizes of Activity Centers. The petitioner has worked with staff to craft a development plan that substantially complies with the recommendations of the CAC design guidelines. The petitioner has hit most of the targeted CAC core area acreages, being slightly over on commercial acreage (5% over 50% recommended) and well under on office acreage (only 5% of 20% recommended - note: office uses are allowed within the retail areas shown on the plan but retail uses are not allowed within the office areas). The overall core area density is recommended to be between 4 and 12
units/acre - the proposed project has an overall density of 5.92 units/acre. There is a need for some additional public space in the proposed project (5% recommended). Staff has identified a potential passive park/open space area between the main entrance to the site off of Robinhood Road and the Vienna Fire Department in the portion of Fleetwood Circle proposed for abandonment. This idea has been discussed with the petitioner and discussions are underway between the petitioner, NCDOT, and the Vienna Volunteer Fire Department on this proposal. If this proposal proves feasible, the proposed project would be in substantial conformity to the suggested core area acreages as far as public or open spaces.

Overall CAC design is more than just examining the acreage and use mixture. A CAC is a concentrated center of activity that consists of interactive residential, commercial and employment uses for the surrounding community. CACs should pay careful attention to building placement, walkability, parking design and location, urban open space, etc. The following is an examination of the proposed project (F-1417a) to the suggested design elements:

<table>
<thead>
<tr>
<th>DESIGN ELEMENT</th>
<th>PROJECT DESCRIPTION</th>
<th>COMPLIANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Placement, Scale and Design: Buildings should define and enclose the pedestrian environment and be taller in the core. Buildings should create a unified “village” feel.</td>
<td>The buildings shown are arranged in a manner consistent with this design element. The outparcel buildings are not shown and should be conditioned to comply with the standard.</td>
<td>Yes - need a condition for the TWO PHASE approvals to ensure compliance.</td>
</tr>
<tr>
<td>Sidewalks: Activity centers should be designed for the pedestrian.</td>
<td>There is an extensive internal sidewalk system, as well as extensive external sidewalks and linkage between the two.</td>
<td>Yes</td>
</tr>
<tr>
<td>Parking: Streets and sidewalks should be lined by buildings. Parking lots should be divided into “parking rooms” and should be screened from the public street.</td>
<td>The buildings are shown in a manner consistent with this design element. The main entrance area delivers you into a “village” with building addressing the street. Parking is located to the side or rear and is fairly well divided into smaller “parking rooms”. Screening elements, such as vegetation and low walls, are used to screen the parking from public streets.</td>
<td>Yes - need a condition for the TWO PHASE approvals to ensure compliance.</td>
</tr>
<tr>
<td>Open Space: Urban open space should be located where it is visible and easily accessible with direct access from public streets.</td>
<td>There are some informal areas located near the “village center” but there is not enough formal open space in the core. Staff has offered some suggestions to the petitioner and will work with the stakeholders to provide the open space.</td>
<td>Some additional work to revise the site plan for some added open space is being followed up on.</td>
</tr>
</tbody>
</table>

Although there are some elements that need further refinement, staff is of the opinion that the petitioner has substantially complied with the design recommendations for the designated CAC. Therefore, both the Activity Center location and design considerations have been or are being addressed.
In respect to other site plan issues and/or refinement (not mentioned previously), there are a couple of thing recommended that will make the overall plan function better and reinforce/strengthen the design elements of the CAC. These items are being considered by the petitioner and are outstanding as of the writing of this staff report (July 5, 2005). They are:

a. Buildings should be oriented toward the private drive and front close to the sidewalk there. Building should not turn their back on Robinhood and Olivet Church Road, but have two “fronts”. In this context, the two “fronts” does not refer to two sets of doors, windows, etc., but rather providing consistent materials and design for both the front and back of the buildings and hiding/seeking the building mechanicals from view from the public rights-of-way.

b. Monument signs should be limited to the private drive side and only wall signage allowed on the Robinhood and Olivet Church Road side. (Planning);

Ensuring an internal focus for the core area of the CAC is important for a couple of reasons. Since the CAC is community serving, it should provide essential goods and services needed by the residents of the community and not focus on “pass-by” trips. Measures such as the volunteered 30’ bufferyard along Olivet Church Road and the recommended internal focus for the buildings and freestanding signs on the outparcel lots will limit exposure along Olivet Church Road. This limited exposure will help to insulate the commercial part of the core from other properties along Olivet Church Road and Robinhood Road, and lessen the pressure to rezone those properties for commercial purposes. Providing better buffers and focusing both buildings and freestanding signs internally on the outparcels will reduce the pressure to approve other commercial rezoning requests that may be inconsistent with the approved CAC plan.

FINDINGS

1. An amendment to Legacy was adopted by the Board of County Commissioners on January 24, 2005 moving the Northwest Metro Activity Center (MAC) to Country Club Road and designating the area north of Robinhood Road between Attanook Road and Olivet Church Road as the core of a Community Activity Center (CAC).

2. When the Board of County Commissioners approved the Community Activity Center (CAC) designation, they also adopted a set of generalized design guidelines/suggestions, as well as core area acreage and use suggestions.

3. The proposed project is located within the area designated as the core of the Community Activity Center (CAC) and is in substantial compliance with the recommended design guidelines and use/acreage suggestions.

STAFF RECOMMENDATION

Zoning: APPROVAL, with the further recommendation that conditions for the TWO PHASE lots specify outparcel ground signs and buildings be oriented internally.
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. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department.
  b. Limits of clearing for the entire site shall be flagged in the field.
  c. Developer shall obtain water quality approval for stream disturbances from the Department of Environment and Natural Resources if required by the Erosion Control Officer.
  d. Developer shall provide the information necessary to comply with the requirements of the Architectural Resources Documentation Requirements checklist to Historic Resources staff for the Doub/Pratt house prior to demolition. This checklist is available from the City-County Planning Board staff.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  a. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to the issuance of a driveway permit.
  b. Provide additional low-walls or screening alternative, as approved by Planning Staff, along relocated Fleetwood Circle between the street and parking areas, except for Outparcel #5, which will be addressed at the Final Development Plan stage.

- **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. Relocate the proposed exterior sidewalks into the right-of-way or provide public access and maintenance easements;

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  a. All road improvements shall be completed prior to the issuance of occupancy permits.
  b. All Fire Hydrants shall be installed in accordance with the Forsyth County Fire Department.
  c. Sidewalks along the full frontage of the property along Attanook Road, Fleetwood Circle, Robinhood Road, and Olivet Church Road shall be installed to the specifications of the Public Works Department of the City of Winston-Salem.
  d. Developer shall install or financially guarantee large variety street trees as defined in UDO Section 3-4.10, along both sides of all streets, within street yards, bufferyards and motor vehicle parking areas where no conflict occurs with overhead utility lines.
• OTHER REQUIREMENTS
  a. All uses and square footages shall match those indicated in the associated Traffic Impact Study. A Site Plan Amendment will be required for any changes not in keeping with those calculations and a new TIS may need to be submitted as part of the Site Plan Amendment process.
  b. All outparcels shall only have access from roads internal to the subject property site and shall not have access from Attanook Road, Robinhood Road, and Olivet Church Road.
  c. Freestanding signage for the shopping center shall be limited to two signs with a maximum height of 18 feet and a maximum copy area of 100 square feet each, per side. Said signs shall be located at least 300 feet apart. Freestanding signage for each outparcel shall be limited to one sign with a maximum height of six (6) feet. Freestanding signage for the residential development shall be limited to two signs on either side of the entrance onto Olivet Church Road with a maximum height of six (6) feet and a maximum area of 36 square feet each.
  d. Provide missing sidewalk linkages (connection between public and private sidewalk near Olivet Church Road; linkage between front and back sidewalk along west end of retail stores; northern end of eastern most office and Attanook Drive; northern frontage of Outparcel #5; and frontage of proposed open space to Robinhood Road;
  e. Provide a consistent 10’ minimum sidewalk width in traffic circle area;
  f. Add crosswalks at Attanook/Fleetwood Circle intersection and at all four (4) crossing points at main entrance along Robinhood/Meadowlark;
  g. TWO PHASE buildings should be oriented toward the private drive when submitted for Final Development Plan approval, as determined by Planning Staff. These buildings should not turn their back on Robinhood and Olivet Church Road, but have two “fronts.” In this context, the two “fronts” does not refer to two sets of doors, windows, etc., but rather providing consistent materials and design for both the front and back of the buildings and hiding/screening the building mechanicals from view from the public rights-of-way; and
  h. Volunteered design conditions for the use of similar materials and architectural style between the shopping center, multi family and office (FIRST PHASE) components and the TWO PHASE outparcels. All proposed buildings in the development shall have similar design and materials and shall be substantially consistent with the architectural renderings and/or elevations submitted by the developer.

SUMMARY STATEMENT OF CONDITIONS BASED UPON SPECIAL USE DISTRICT DESIGNATION

The Developer has volunteered to show sidewalks, vehicular angled parking, building orientations, design features, etc. Although these elements were shown on the site plan submitted to staff for review as part of the rezoning request, they are partially the result of previous discussions with Planning staff who requested the inclusion of these items as well as other site plan items that the petitioner chose not to include.
Chris Murphy presented the staff report.

**PUBLIC HEARING**

FOR:

Doug Stimmel, 601 N. Trade Street, Winston-Salem, NC 27101
  - Described concept sketches about the plans.
  - One of the goals with the entrance is to realign the intersection to get rid of the awkward alignment of Fleetwood Circle.
  - We held a neighborhood meeting on June 1st. We had about 20-25 people sign in. There were probably 35-40 people who attended that meeting.
  - A lot of folks wanted information and appear to like the plan. There are still folks who have issues with things like traffic that won't go away.
  - An earlier plan had a connection to Attanook to service the shopping center. This was too close to the neighborhood so we deleted that connection.
  - We have done what we can to meet neighbors' concerns.
  - This plan follows the Legacy community activity center and it's design guidelines. We've worked a long time with staff to make sure we create a higher level of design and make sure we're in compliance with that plan.

AGAINST:

Jerry Hollingsworth, 2251 Olivet Church Road, Winston-Salem, NC 27106
  - Doug Stimmel's company always does a really good design.
  - My wife and I moved to Olivet Church Road in 1995 after living 25 years in Ardmore.
  - We understood at the time that with the extension of the Northern Beltway and the potential Robinhood West Activity Center, that there was going to be mixed use high density development in the neighborhood. The Northern Beltway would take traffic off Olivet Church Road, Robinhood Road would be turned into an urban boulevard, and our neighborhood would essentially be left alone.
  - I'm opposed to this proposal. It's inappropriate for this site under the current conditions.
  - As we heard earlier, a previous plan was rejected. Now we have a good site plan produced by an excellent design firm, a development that would grace many locations in Winston-Salem. But I've been told a weed is just a misplaced flower. Because this development is truly misplaced, the flower planted in this location would be another weed.
  - High density mixed use development is fully appropriate in an urban environment. In fact, high density mixed use could serve as the definition of urban. There's no reasonable explanation for characterizing this unincorporated section of Forsyth County as urban. It is increasingly becoming suburban and that is to the detriment of the neighborhood, it's residents and all of the tax payers in the entire county.
  - One explanation for high density mixed use in this area is the once planned activity center planned for the intersection of Robinhood Road and the western leg of the Northern Beltway. One of the necessary criteria for a metro activity center listed in the 2000 Legacy plan reads, "site is located at the intersection of a freeway and a major arterial road." At present the start of construction for the beltway is some years off and Robinhood Road is not the urban boulevard envisioned in the Legacy plan.
• Currently morning traffic is backed up on both Robinhood and Country Club roads.
• A MAC is also supposed to be served by public transportation including the possibility of light rail. Is there any realistic chance that even buses will be extended out Robinhood?
• Increased traffic will bring increased air pollution.
• Please deny this plan and all similar plans until MACs become reality.
• Build the infrastructure needed to supply an urban environment before permitting urban style construction in a suburban and rural neighborhood.

Arnold King noted that this area is a smaller scale CAC rather than a MAC so the conditions don't apply. Mr. Hollingsworth indicated his opinion that the MAC being at Country Club is "right across the street".

Bobby Hill, 5260 Fleetwood Circle, Winston-Salem, NC 27106
• I live on the cul-de-sac street. To get anywhere I'll have to go through the shopping center.

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. Paul Mullican asked about fire truck access. Mark Geda from Stimmel Associates explained the traffic flow for fire trucks and vehicles accessing the fire station.

2. Jerry Clark asked about the intersection of Olivet Church Road and Robinhood Road. John Davenport, Davenport Engineering, 545 N. Trade Street, Winston-Salem, NC 27101 responded that they worked with NCDOT on that intersection. It will be signalized and there will be turn lanes on Olivet Church Road and Robinhood Road. There will also be a relocated signal at Fleetwood Circle which will be coordinated with the Olivet Church Road/Robinhood signal.

3. Dara Folan noted that the plan is good, the uses are mixed, and that the Board and the County Commissioners adopted the plan for this to be a CAC. The one concern I have is the traffic down Robinhood.

4. Wesley Curtis asked Mr. Stimmel if there was a way to allow Mr. Hill access without having to go through the shopping center. Mr. Stimmel noted that he is being connected to the re-routed Fleetwood Circle which is a new public road.

5. Carol Eickmeyer noted that this plan comes a lot closer to accommodating neighbors' concerns and making the development one that everyone can live with - a village concept, trees, sidewalks, etc.

6. Paul Mullican commended Mr. Stimmel and Tribeck for their work to bring such a good plan back to us.

7. Brenda Smith noted she is still concerned about the driveway. Other board members noted that Robinhood is too busy to allow single access driveways.
8. Chris Murphy noted that when the report was written, staff was still working with the petitioner about conditions "g." and "h." under "Other Requirements". At that point they weren't comfortable with the language. Since that time we've come to an agreement that those conditions are flexible enough that we can talk about them at the final development plan stage.

9. Lighting will be evaluated at the review of the final development plan.

MOTION: Dara Folan moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions with the two changes mentioned earlier.
SECOND: Jerry Clark

Dara Folan amended his motion to include the condition that lighting will be evaluated at the review of the plan.
Jerry Clark accepted the amendment.

VOTE:
FOR: Clark, Curtis, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Smith
AGAINST: None
EXCUSED: None


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A. Paul Norby, AICP
Director of Planning