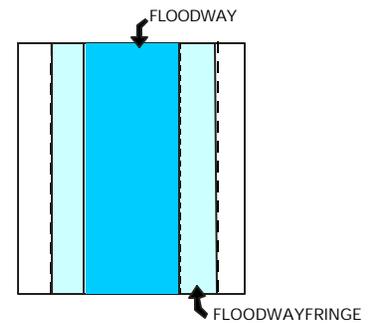


DOCKET #: F1361

PROPOSED ZONING:
RS7

EXISTING ZONING:
RS9

PETITIONER:
The Sherwood Company



SCALE: 1" represents 600'

STAFF: Roberts

GMA: 3

ACRE(S): 23.45

MAP(S): 600830



April 23, 2002

The Sherwood Company
c/o Bruce Hubbard, President
2110 Cloverdale Avenue
Winston-Salem, NC 27103

RE: ZONING MAP AMENDMENT F-1361

Dear Mr. Hubbard:

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
Virginia Ingram, 3064 Old Sides Mill Road, Winston-Salem, NC 27103
Claude J. Myers, 2780 S. Stratford Road, Winston-Salem, NC 27103
John Corum, 3078 Old Sides Mill Road, Winston-Salem, NC 27103
Bryan Bono, 2409 Stratford Crossing Drive, Winston-Salem, NC 27103

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _____ **AGENDA ITEM NUMBER:**

SUBJECT:-

Zoning map amendment of The Sherwood Company

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning map amendment of The Sherwood Company from RS-9 to RS-7: property is located on the northwest side of Stratford Road ±1,300 feet south of Lockwood Drive (Zoning Docket F-1361).

After consideration, the Planning Board recommended approval of the rezoning petition.

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

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COUNTY ORDINANCE - GENERAL USE

Zoning Petition of The Sherwood Company, Docket
F-1361

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 RS-7 the zoning classification of the
following described property:

Tax Block 3897, Tax Lot 010

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # F-1361

STAFF: Gary Roberts

Petitioner(s): The Sherwood Company

Ownership: Same

REQUEST

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

To: RS-7 Residential Single Family District; minimum lot size 7,000 sf

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

NOTE: This is a general use zoning petition; therefore, ALL uses permitted in the above requested district should be considered.

Acreage: 23.45 acres

LOCATION

Street: Northwest side of Stratford Road, south of Lockwood Drive.

Jurisdiction: Forsyth County.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Property is undeveloped.

Adjacent Uses:

- North - Sparsely developed single family residential zoned RS-9.
- East - King Sash and Door Company zoned LI.
- South - Developed single family residential subdivision zoned RS-7.
- West - Sparsely developed single family residential zoned RS-9.

GENERAL AREA

Character/Maintenance: Well maintained single family residential zoned RS-9 and RS-7.

Development Pace: Moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: No specific impact determined with general use request.

Topography: The subject property has an approximate change in elevation of 90' from east to west (from 790' in the east down to 700' in the west).

Streams: There are tributaries to Little Creek on the subject property that extend into the western 1/3 of the property.

Vegetation/habitat: The subject property is currently heavily vegetated.

Floodplains: There is FEMA regulated floodplain on the subject property (both floodway and floodway fringe). Any fill placed within the floodway fringe must meet the requirements of the UDO (only half of the distance between the limits of the floodway fringe and the floodway may be filled).

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

TRANSPORTATION

Direct Access to Site: South Stratford Road with additional internal public street connection midway along southern property line.

Street Classification: Major thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
South Stratford Road between Fraternity Church Road and Beltway Corridor =
N/C/42,200.

Sidewalks: None.

Transit: Route 19 along South Stratford and Hope Church Roads.

Bike: None.

HISTORY

Relevant Zoning Cases:

1. W-2498; County RS-7 to City RS-7; approved September 4, 2001; northwest side of Stratford Road adjoining southern boundary of current site; 33.26 acres; Planning Board and staff recommended approval.
2. F-1210; RS-9 to LB-S (General Merchandise Store; and Services, Personal); approved October 27, 1997; northwest side of Stratford Road, 0.5 mile south of current site; Planning Board and staff recommended denial.
3. F-1114; RS-9 to RS-7; approved August 14, 1995; same property as referenced in W-2498 above; 33.26 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): *Legacy* promotes higher density residential development within the municipal services area (GMA 1, 2, and 3). The intent is to make the best use of land resources and existing public investments in roads, water, sewer and other public services. *Legacy* also advocates that new residential developments incorporate the design characteristics of traditional neighborhood developments. They include a connected street network, sidewalks and street trees, a variety of dwelling types and prices, open spaces and walking trails integrated into the development.

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

ANALYSIS

The current request is to rezone 23.45 acres of undeveloped property located on the northwest side of Stratford Road from RS-9 to RS-7. The site is adjacent to a satellite annexation (Stratford Crossing subdivision) which is currently being developed and was rezoned from RS-9 to RS-7 in 1995. The subject site has 200 feet of frontage along South Stratford Road and is also surrounded by sparsely developed single family residential uses and zoning to the north and west.

Theoretically, under the current RS-9 zoning, a PRD approved by the Planning Board could include up to 113 lots as compared to 146 lots with a RS-7 PRD. While the subject property is currently located beyond the municipal limits, it fronts along a major thoroughfare and a future rail transit line. In addition, it is less than 1/4 mile south of the proposed Northern Beltway Corridor and has access to public water and sewer. An internal public street stub connection is available to connect to the existing RS-7 subdivision currently under construction on the south side of the property. Staff recommends approval.

FINDINGS

1. *Legacy* promotes higher density residential development within the municipal services area (GMA 1, 2, and 3).
2. The site is not within the boundaries of a development guide or area plan.
3. The residential density of the proposed RS-7 district is generally comparable to the adjoining property.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Bruce Hubbard, Sherwood Company, 2110 Cloverdale Avenue, Winston-Salem, NC 27103

This is a parcel which we have owned for a number of years.

We have a builder who is interested in purchasing residential lots from us. We felt it would be more consistent to have similar lot sizes to the property next to us which is RS-7.

AGAINST:

Virginia Ingram, 3064 Old Sides Mill Road, Winston-Salem, NC 27103

I live about 1/4 mile to the south of this development.

I don't want to deprive anyone from being a homeowner. It's a great responsibility. There are several things which bother me about the rezoning. The density and the financial setup for the houses bring me concern about the future of the development. If the home owners don't take care of their properties, it will deteriorate.

There's only one road to access the development now and it's a tiny street. If anything happened on the street, emergency vehicles couldn't get in and the residents of these houses couldn't get out.

We are killing ourselves by taking away all the green areas in our communities. This is a beautiful stand of green trees that will be taken down.

This will result in more automobiles which will result in more pollution.

I'm concerned about wildlife being pushed out of their natural environments.

If this gets approved, please provide some green space for a park for children who will live in this development.

I think it is an insane idea to stack more houses in this area.

Claude J. Myers, 2780 S. Stratford Road, Winston-Salem, NC 27103

I live 1,300 feet from this development

Have any of you looked at the development that's going in now.

There are a few very old houses here, but all the houses are nice until we get into the development and these houses are small. One house has been built recently on a filled-in lake.

Houses settle.

I'm concerned about the future of this area. We are building a slum here.

Why are we getting this type of houses here?

How would you love to live in this type development? It's going to ruin our community.

John Corum, 3078 Old Sides Mill Road, Winston-Salem, NC 27103

I would like to reiterate what previous speakers said. We aren't against them building houses, but we are concerned about the type of houses being built.

I've lived here 22 years and had hoped to retire here, but it makes me wonder what is going to happen to our neighborhood.

Would you like to have a development like this where they take down every tree right next to you?

All we ask is to be fair to the people who are there now and who will be there in the future.

Bryan Bono, 2409 Stratford Crossing Drive, Winston-Salem, NC 27103

I am in the new development. I agree with a lot of the things both people are saying but I don't agree that you should call it slums. This is my first house. I work two jobs. I'm a supervisor at one job and I just started at Home Depot and I bust my butt to buy a house. Yeah, they do offer you no money down and it is comparable to rent, but there's a lot of families in there that this is their first house and it may not be where they want to stay forever, but it is a house.

Showed his lot, on the corner behind the model home on Stratford Crossing. I adjoin the entranceway of the new proposed development. Their entranceway is only going to be 200' across and then they're going to be building a road and then houses which will adjoin my property. There's no proposed lots so I don't know how close they will be to my property, but the reason I picked that lot is because there's trees there and it's away from all the rest of the houses.

The zone two that's going to be built on the other side: their lots are even smaller than mine, but they have woods next to their property, too. I'm sure a lot of these people don't want more trees cut down and more houses built on either side of our development.

I would like to see, when they propose the lot pattern, what kind of barriers they'll put between developments if this does get approved.

WORK SESSION

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

1. This is a general use petition, so we can't know if sidewalks, etc. will be provided in this development.
2. Kerry Avant - I don't think changing the zoning from RS-9 to RS-7 will change the nature of building here. If the property was left RS-9 and developed as RS-9, I doubt the value of the homes and types of houses would not be very much different from this proposal. I expect the number of trees retained would not be significantly different, either.

3. Under the current RS-9 zoning, 113 lots could be constructed. RS-7 would allow approximately 146 lots.
4. Jimmy Norwood - how can we incorporate some of these issues. Kerry Avant - some of it is market-place issues. I'm not sure you could put enough criteria or regulation from a zoning standpoint that you could prevent it. To some extent, it is determined by the eye of the beholder. It isn't planning's place to get into architectural design. Jimmy Norwood - I'm talking about green space. Kerry Avant - take the general use ordinance and put green space requirements on it. Phil Doyle - you have to be careful not to out-price a zoning category by adding too many requirements.

MOTION: Philip Doyle moved approval of the zoning map amendment.

SECOND: John Bost

VOTE:

FOR: Avant, Bost, Doyle, King

AGAINST: Clark, Norwood, Powell

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of The Sherwood Company as of February 28, 2002.

A. Paul Norby, AICP
Director of Planning