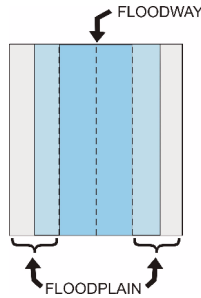


DOCKET #: W2926

PROPOSED ZONING:
City Zoning Jurisdiction

EXISTING ZONING:
County Zoning Jurisdiction

PETITIONER:
City of Winston-Salem
for property owned by
Pierce Homes of Carolina
Inc.



SCALE: 1" represents 1000'

STAFF: King

GMA: 3

ACRES: 153.07

NEAREST BLDG: 75' west

MAP(S): 612894 612898

F

April 25, 2007

City of Winston-Salem
c/o Lee Garrity, Manager
P. O. Box 2511
Winston-Salem, NC 27102

RE: ZONING MAP AMENDMENT W-2926

Dear Mr. Garrity:

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, FAICP
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102
Gene Musten, Forum Wade & Associates, 621 Eugene Court, Suite 100, Greensboro, NC
27401
David Jackson, 1560 Shore Road, Rural Hall, NC 27045
Larry Ice, 1549 Shore Road, Rural Hall, NC 27045

ACTION REQUEST FORM

DATE: April 25, 2007
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Map Amendment of City of Winston-Salem for property owned by Pierce Homes of Carolina, Inc.

SUMMARY OF INFORMATION:

Zoning Map Amendment of City of Winston-Salem for property owned by Pierce Homes of Carolina, Inc. from County Zoning Jurisdiction to City Zoning Jurisdiction for RS-9 zoned property: property is located on the north side of Shore Road, east of Bethania-Rural Hall Road (Zoning Docket W-2926).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - GENERAL USE

Zoning Petition of City of Winston-Salem for property owned by Pierce Homes of Carolina, Inc., Docket W-2926

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 County Zoning Jurisdiction RS-9 to City Zoning Jurisdiction RS-9 the zoning classification of the following described property:

Tax Block 4968	Tax Lots 24G, 110D, and 111
Tax Block 4968B	Tax Lot 1A
Tax Block 4968E	Tax Lots A, B, 1-16, 83-86, 112-125, and 140-149

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT FOR: Docket # W-2926**

PETITION INFORMATION	
Docket #	W-2926
Staff	Aaron King
Petitioner(s)	City of Winston-Salem
Owner(s)	Pierce Homes of Carolina, Inc.
Subject Property	Tax Lots 24G, 110D, and 111, Tax Block 4968, Tax Lot 1A, Tax Block 4968B, and Tax Lots A, B, 1-16, 83-86, 112-125, and 140-149, Tax Block 4968E
Type of Request	Zoning Jurisdiction Conversion
Proposal	The petitioner is requesting to amend the Official Zoning Maps for the subject property from County RS-9 (Residential Single Family; 9,000 sf. lot size) to City RS-9 (Residential Single Family – Special Use Zoning).
GENERAL SITE INFORMATION	
Location	North side of Shore Road, east of Bethania-Rural Hall Road
Jurisdiction	City of Winston-Salem (closest to North and Northeast Wards)
Analysis	<p>The review for this case focuses on the zoning conversion from County zoning jurisdiction to Winston-Salem zoning jurisdiction triggered by the recent annexation of the subject property. The Planning Board’s role in reviewing this petition pertains only to the zoning jurisdiction. The decision to annex the property was made by the Winston-Salem City Council with agreement by the property owners.</p> <p>This proposal will not change the permitted uses of the subject property, but will reclassify the newly incorporated property from its Forsyth County zoning classification to the equivalent City of Winston-Salem zoning classification. The two zoning classifications are equivalent and there are no changes in development rights or constraints.</p>

STAFF RECOMMENDATION: APPROVAL.

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.**

Chris Murphy presented the staff report.

PUBLIC HEARING

FOR:

Gene Musten, Forum Wade & Associates, 621 Eugene Court, Suite 100, Greensboro, NC 27401

- We have already been annexed, but this is the final step for the zoning transfer.
- I'm available for questions.

AGAINST:

David Jackson, 1560 Shore Road, Rural Hall, NC 27045

- I represent Piedmont Natural Gas and am also a homeowner in this area.
- I realize I may not have the right forum and I'll be very brief.
- Piedmont Natural Gas operates an 800 pound transmission line which is part of this property and runs along the Bethania Rural Hall Road and down the length of this property on the US 52 side.
- One of our concerns is that the lots that are being proposed along this line incorporate a 50-foot easement in the property lines. That's a problem because this intersection is part of the anchor for the eastern and western loop and the area shown in purple on the site plan is going to be taken over when they redo the highway. The bridge over US 52 will be changed to a four-lane bridge which will be widened. That lane of traffic would be over the right-of-way and over where the existing natural gas pipeline is now. Typically in a situation like this the NCDOT would condemn the adjoining property and pay us to move this pipeline onto the adjoining property. As it is right now, we will have a natural pipeline within 50 foot of the back doors of these houses. If that does goes through and NCDOT wants us to move, we would be even closer.
- This pipeline serves RJR, the Town of Tobaccoville, and the Town of King.
- As a homeowner on Shore Road, we've already experienced the congestion with the new construction.
- This second phase of the development has lot sizes which are too small.

WORK SESSION

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

1. What is before the board for consideration today is not whether or not there can be development on the property, what density it can be, how it can be laid out, but simply a book-keeping change that gives a transfer of zoning.

MOTION: Clarence Lambe moved approval of the transfer of zoning jurisdiction.

SECOND: Jerry Clark

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning