

January 24, 2007

Tatton Park Townhome Association
5101 Country Club Road
Winston-Salem, NC 27104

RE: ZONING MAP AMENDMENT W-2905

Dear Sirs:

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
Lavonda Boston, 775 Lancaster Park Ct., Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: January 24, 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 Tatton Park Townhome Association for property owned by multiple property owners

SUMMARY OF INFORMATION:

Zoning Map Amendment of Tatton Park Townhome Association for property owned by multiple property owners from RM-8-S (Residential Building, Multifamily; and Residential Building, Townhouse) to RM-8-S (Residential Building, Multifamily; Residential Building, Townhouse; and Planned Residential Development): property is located on the south side of Kester Mill Road and north side of Westchester Road, west of Jonestown Road (Zoning Docket W-2905).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Tatton Park Townhome Association
for property owned by multiple property owners, Docket W-2905

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 RM-8-S (Residential Building, Multifamily; and Residential Building, Townhouse) to RM-8-S (Residential Building, Multifamily; Residential Building, Townhouse; and Planned Residential Development) the zoning classification of the following described property:

Tax Lots 3C through 7C, 10C, 103K, 103M, 101, 102, 104, 105, 106C, 106H, and 1H through 35H, Tax Block 6444; Tax Lots A, B, 21A through 23D, 121A through 123D, 321A through 323D, and 421A through 423A, Tax Block 6490

Section 2. This Ordinance is adopted after approval of the site plan entitled Tatton Park Townhome Association and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, 20____ to Tatton Park Townhome Association for property owned by multiple property owners.

Section 3. The City Council 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 Tatton Park Townhome Association. 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 City Council
of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Tatton Park Townhome Association for property owned by multiple property owners, (Zoning Docket W-2905). 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 RM-8-S (Residential Building, Multifamily; Residential Building, Townhouse; and Planned Residential Development), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the RM-8-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:

All applicable conditions from W-2429 shall apply to this site.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-2905		
Staff	Aaron King		
Petitioner(s)	Tatton Park Townhome Association		
Owner(s)	Multiple property owners		
Subject Property	Tax Lots 3C through 7C, 10C, 103K, 103M, 101, 102, 104, 105, 106C, 106H, and 1H through 35H, Tax Block 6444; Tax Lots A, B, 21A through 23D, 121A through 123D, 321A through 323D, and 421A through 423A, Tax Block 6490		
Type of Request	Special use rezoning to add the use PRD to the list of permitted uses to allow more flexible building setbacks.		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RM-8-S (Residential Multifamily; up to 8 du/ac) to RM-8-S (Residential Multifamily; up to 8 du/ac). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Residential Building, Multifamily; Residential Building, Townhouse; and PRD 		
Zoning District Purpose Statement	The RM-8 District is primarily intended to accommodate duplexes, twin homes, townhouses, multifamily, and other low intensity multifamily uses at a maximum overall density of eight (8) units per acre. This district is appropriate for Growth Management Areas 2 and 3.		
GENERAL SITE INFORMATION			
Location	South side of Kester Mill Road and north side of Westchester Road, west of Jonestown Road		
Jurisdiction	City of Winston-Salem		
Ward(s)	Southwest		
Site Acreage	Approximately ± 19.48 acres		
Current Land Use	The site is currently developed as a community of townhouses and condominiums.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	HB & RS-9	Automotive repair business and single family homes
	East	LB-S, RMU-S, HB, & RS-9	Engineering office, apartment complex, and undeveloped land
	South	RS-9 & IP	Single family homes and church
	West	RS-9	Undeveloped land/scattered single family homes
Physical Characteristics	The majority of the site is already developed. There are no changes proposed to the layout of buildings or streets.		

Proximity to Water and Sewer	The site has access to public water and public sanitary sewer.			
Stormwater/ Drainage	A stormwater study was required when the original rezoning was approved.			
Watershed and Overlay Districts	The subject property is not located within a water supply watershed.			
Analysis of General Site Information	The majority of the site is currently developed, with only a portion of the multifamily units in the northwest corner of the site remaining to be constructed. This request does not propose any changes to any existing or proposed elements of the site, only to add the use of Planned Residential Development (PRD) to the list of permitted uses.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Kester Mill Road	Local Road	+/- 903 feet	NA	NA
Westchester Road	Local Road	+/- 664 feet	NA	NA
Proposed Access Point(s)	Tatton Park Drive which runs north/south through the subdivision provides access to the site. No changes in access points are proposed.			
Planned Road Improvements	None proposed with this request.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RM-8-S</u> 155 units x 6.59 (MFR Trip Rate) = 1,021 Trips per Day <u>Proposed Zoning: RM-8-S (PRD)</u> 155 units x 6.59 (MFR Trip Rate) = 1,021 Trips per Day			
Sidewalks	Sidewalks exist along the south side of Kester Mill Road.			
Traffic Impact Study (TIS)	Not required			
Analysis of Site Access and Transportation Information	There are no changes to existing or proposed access points or street layouts with this request. When this request was originally approved, only Tatton Park Drive was designated as a public street. The rezoning was approved as an RM-8-S subdivision with front building setbacks meeting the requirements along private streets. Recently, the Tatton Park HOA requested that the City of Winston-Salem accept the private streets and their maintenance responsibility. The private streets were constructed to meet City street standards, but would have created a zoning violation due to the existing townhouse buildings being too close the public right-of-way that would have been needed to allow these streets to become public. Adding the use PRD allows less restrictive setbacks, and therefore would allow for these streets to be accepted as public streets.			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	GMA 3 (Suburban Neighborhoods)			
Relevant Area Plan(s)	The subject property is not located within an area plan or development guide.			

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?					
	No					
	(S)(4) - Is the requested action in conformance with <i>Legacy</i>?					
Yes						
Analysis of Conformity to Plans and Planning Issues	The addition of the use PRD would not negatively affect the site or any adjoining properties.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2429	RS-9 to RM-8-S	Approved 11/6/00	Subject Property	19.48	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage			Placement on Site		
	108,900 sf.			Various locations		
Units (by type) and Density	35 townhouse units at 3.76 du/ac 120 condominium units at 11.81 du/ac Overall density = 7.95 du/ac					
Parking	Required	Proposed		Layout		
	288 spaces	297 spaces		90° head-in parking		
Building Height	Maximum			Proposed		
	40 feet			25 to 38 feet		
Impervious Coverage	Maximum			Proposed		
	70%			32.7%		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.2(L) RM-8 District Section 2-5.60 Use Conditions – PRD 					
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:			Yes		
	(B) Environmental Ord.			Yes		
	(C) Subdivision Regulations			Yes		
Analysis of Site Plan Compliance with UDO Requirements	No changes are proposed to the currently approved site plan. The site does have enough common open space to meet the PRD requirements.					
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal				Negative Aspects of Proposal		
Approval of this request would allow the streets within the subdivision to become publicly maintained.						
The use PRD allows more flexibility in setback requirements.						

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- a. All applicable conditions from W-2429 shall apply to this site.

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.**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Paul Mullican

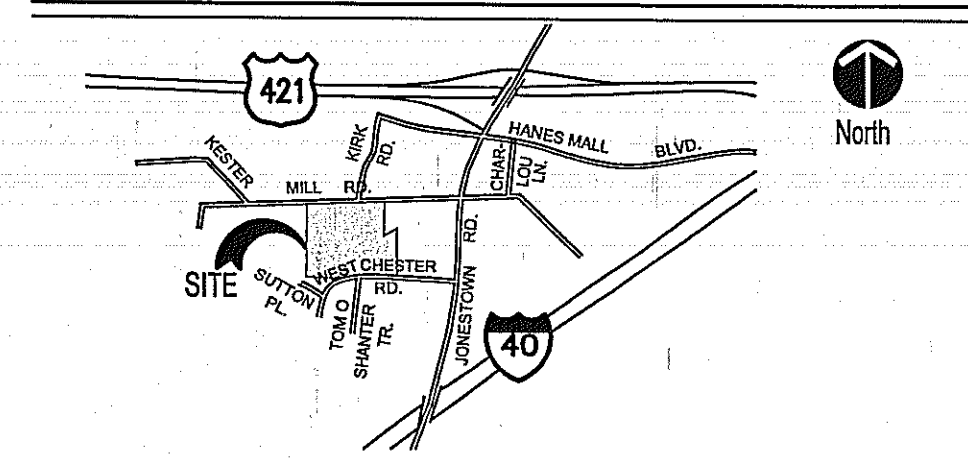
VOTE:

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



Stimmel Associates, PA Landscape Architecture Civil Engineering Land Planning

TATTON PARK

OWNERS:

- List of owners for various lots in the development, including names and addresses.

HOUSING DATA:

Table with 2 columns: Category (e.g., Multi-Family Area, Townhouse Area) and Value (e.g., 38' +/-, 25' +/-).

SITE DATA

PURPOSE STATEMENT: THE PURPOSE OF THIS REQUEST IS TO ADD PLANNED RESIDENTIAL DEVELOPMENT (PRD) TO THE PERMITTED USES FOR THE DEDICATION OF LANCASTER PARK DRIVE, LANCASTER PARK COURT AND KENNINGTON TERRACE COURT TO THE CITY OF WINSTON-SALEM AS PUBLIC RIGHTS-OF-WAY.



LEGEND: COMMON RECREATION AREA (hatched pattern), PROPOSED PAVEMENT (dotted pattern)

FLOOD PLAIN INFORMATION: NO FLOOD PLAIN PRESENT ACCORDING TO 1996 FEMA STUDY AND FORSYTH COUNTY GEO-DATA INFORMATION.

WATERSHED INFORMATION: PROPERTY IS NOT LOCATED IN A WATERSHED AREA.

Professional Engineer Seal for Stimmel Associates, PA, North Carolina, License No. 27103.

TATTON PARK WINSTON-SALEM NORTH CAROLINA

PREVIOUS DOCKET # W-2429 APPROVED 11-6-2000

REZONING PLAN RZ-1, SCALE: 1"=60', SHEET NO. 11/6/06