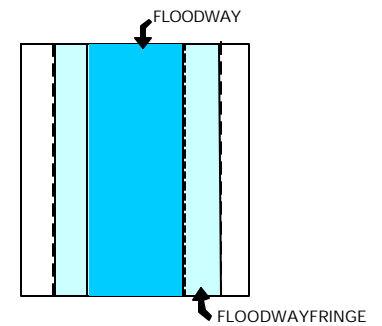


**DOCKET #:** W2545

**PROPOSED ZONING:**  
RM8-S (Residential Building, Multifamily)

**EXISTING ZONING:**  
RS9

**PETITIONER:**  
Chris Parr  
for property owned by Irene Todd heirs



**SCALE:** 1" represents 400'

**STAFF:** Gallaway

**GMA:** 3

**ACRE(S):** 5.57

**MAP(S):** 618892



May 20, 2002

Chris Parr Construction, Inc. for property owned by Irene K. Todd heirs  
PO Box 4253  
Greensboro, NC 27404

RE: ZONING MAP AMENDMENT W-2545

Dear Mr. Parr:

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

Sincerely,

A. Paul Norby, AICP  
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102

**ACTION REQUEST FORM**

**DATE:** May 20, 2002  
**TO:** The Honorable Mayor and Board of Aldermen  
**FROM:** A. Paul Norby, AICP, Director of Planning

**BOARD ACTION REQUEST:**

Request for Public Hearing on Zoning Petition of Chris Parr Construction, Inc. for property owned by Irene K. Todd heirs

**SUMMARY OF INFORMATION:**

Zoning Map Amendment of Chris Parr Construction, Inc. from RS-9 to RM-8-S (Residential Building Multifamily): property is located at Ebert Road and I-40, Winston-Salem, NC. (Zoning Docket W-2545)

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** AVANT, BOST, CLARK, DOYLE, FOLAN, KING, NORWOOD, POWELL  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Chris Parr Construction, Inc. for property owned by Irene K. Todd heirs , Docket W-2545

AN ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM, N.C.

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BE IT ORDAINED by the Board of Aldermen 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 RS-9 to RM-8-S (Residential Building, Multifamily) the zoning classification of the following described property:

Tax Block 3997, Tax Lot 8J

Section 2. This Ordinance is adopted after approval of the site plan entitled Chris Parr Construction, Inc. for property owned by Irene K. Todd heirs and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to Chris Parr Construction, Inc. for property owned by Irene K. Todd heirs

Section 3. The Board of Aldermen 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 Chris Parr Construction, Inc. for property owned by Irene K. Todd heirs . 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 Aldermen

of the City of Winston-Salem

The Board of Aldermen 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 Chris Parr Construction, Inc. for property owned by Irene K. Todd heirs , (Zoning Docket W-2545). 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 Multi Family),

approved by the Winston-Salem Board of Aldermen 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:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  - a. Limits of grading along the stream defining the western edge of the property shall be flagged in the field and cordoned off.
  - b. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.
  
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. Developer shall dedicate a forty (40) foot wide greenway easement to the City of Winston-Salem along Salem Creek. Planning staff shall approve the location of said greenway easement. Greenway easement shall be recorded on final plat.

## **DRAFT ZONING STAFF REPORT**

**DOCKET #** W-2545  
**STAFF:** Suzy Gallaway

Petitioner(s): Chris Parr Construction, Inc.  
Ownership: Irene K. Todd heirs

### **REQUEST**

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf  
To: RM-8-S Residential Multifamily District; maximum density 8 units/acre  
(Residential Building, Multifamily)

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

Acreage: 5.57 acres

### **LOCATION**

Street: West side of Ebert Road north of I-40.  
Jurisdiction: City of Winston-Salem.  
Ward: South.

### **SITE PLAN**

Proposed Use: Residential Building, Multifamily.  
Building Height: Two story; 45 feet maximum height.  
Density: 5.75 dwelling units per acre.  
Parking: Required: 54; proposed: 54.  
Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Site is vacant.

Adjacent Uses:

North -	Property currently being developed as multifamily, zoned RM-8-S.
East -	Single family homes across Ebert Road, zoned RS-9.
South -	I-40 right-of-way; Vacant property further south, zoned RS-9.
Northwest -	Single family cluster home development, zoned RS-9.

## **GENERAL AREA**

Character/Maintenance: Well-maintained mixture of single and multifamily uses.

Development Pace: Rapid.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Limited area of site would be cleared, majority left undisturbed.

Topography: There is an approximate change in elevation on the subject property of 70' (from an approximate elevation of 820' in the east to an approximate elevation of 750' in the west).

Streams: Bottom Branch Creek

Vegetation/habitat: The subject property is currently wooded.

Floodplains: Yes - Bottom Branch Creek

Wetlands: There are some palustrine, scrub-shrub, broad-leafed deciduous, temporarily flooded wetlands on the western border of the subject property. All development and disturbance is well to the east of the wetlands (approximately 750').

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

## **TRANSPORTATION**

Direct Access to Site: Ebert Road; Interstate 40.

Street Classification: Ebert Road - major thoroughfare; Interstate 40 - freeway.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Ebert Road between Ebert Street and London Lane: N/C / 16,100

Interstate 40 between Hanes Mall Boulevard and Peters Creek Parkway: 69,000/95,900

Trip Generation/Existing Zoning: RS-9

$5.57 \times 43,560/9,000 = 26 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 248 \text{ Trips per Day}$

Trip Generation/Proposed Zoning: RM-8-S

$32 \text{ units} \times 6.59 \text{ (Apartment Trip Rate)} = 210 \text{ Trips per Day}$

Transit: Route 23 along Ebert Road and Ebert Street.

Bike: Route 23, Idols Dam Connector, along Ebert Road.

## **HISTORY**

Relevant Zoning Cases:

1. W-2520; RS-9 to RM-8-S (Residential Building, Multifamily); denied January 7, 2002; west side of Ebert Road south of I-40; 13.01 acres; Planning Board recommended approval and staff recommended denial.
2. W-2464; RS-9 to RM-8-S (Residential Building, Multifamily); approved May 24, 2001; west side of Ebert Road north of I-40 and south of Geneva Road; 20.75 acres; Planning Board and staff recommended approval.

3. W-2135; RS-9 to RM-12; approved March 3, 1997; north and south sides of Salem Crest Lane east of Ebert Road south of I-40; 5.83 acres; Planning Board and staff recommended approval.

### **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): *Legacy* considers Suburban Neighborhoods appropriate for future urban or suburban development. One of the goals of *Legacy* is to increase infill development within the Municipal Services Area where Suburban Neighborhoods are located in order to make the most efficient use of public investment in existing infrastructure. Infill development reduces pressure for development to sprawl into the rural areas of the County. Infill development should be designed to be compatible with surrounding development so that it strengthens existing neighborhoods.

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

### **GREENWAY/RECREATION/OPEN SPACE REVIEW**

Greenway Plan: *Greenway Plan for Winston-Salem and Forsyth County*.

Greenway/Trail Name: Bottom Branch Creek

Easement Requested: 40 feet.

Side of Creek: East.

Comments/Status of Trail: The *Greenway Plan* recommends that 40 foot easements be obtained along all creeks with identifiable floodplains. There are, however, no proposals at this time to build a trail along Bottom Branch Creek.

### **ANALYSIS**

The petitioner has requested to rezone 5.57 acres from RS-9 to RM-8-S (Residential Building, Multifamily). The proposed development consists of two, 16 unit, two story multifamily buildings. Totalling 32 units, the project density is at 5.75 units per acre. The petitioner is leaving much of the site undisturbed, and developing only a small portion. Care has been taken by limiting the number of units, to keep traffic generation below that which might otherwise be generated under the current RS-9 zoning; i.e., 210 trips per day versus 248 trips per day for RS-9.

The site which is located on the west side of Ebert Road is situated between I-40 to the south and a RM-8-S zoned multifamily development being constructed to the north. The area is generally characterized by a mixture of single family homes and multifamily developments. The site will access through the multifamily development to the north, rather than imposing an additional driveway cut onto Ebert Road.



Currently there are significant traffic problems on both Ebert Street and Ebert Road, onto which the proposed development would feed. Since there is no interchange with I-40 and Ebert Road, prospective residents of the development would most likely travel north to Silas Creek Parkway, thus adding to the existing traffic concerns. Traffic concerns have been addressed by keeping the traffic generation at numbers less than what the potential traffic volumes could be under the current RS-9 single family zoning.

Staff intentionally requested a private street connection to the site from the adjoining multifamily development to the north. The consolidation of access and the proposed low density make for a good use of this 5.57 acre tract. Staff is of the opinion that RM-8-S zoning would not be inconsistent with the surrounding uses and zoning.

### **FINDINGS**

1. Request is to rezone 5.57 acres from RS-9 to RM-8-S (Residential Building, Multifamily).
2. Proposed development consists of two 16 unit two-story multifamily buildings.
3. The project density is 5.75 units per acre.
4. Site plan leaves the majority of the site undisturbed.
5. Site will access through the multifamily development to the north.
6. Traffic concerns have been addressed by keeping the traffic generation at numbers less than what the potential traffic volumes could be under the current single family zoning.

### **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

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. Limits of grading along the stream defining the western edge of the property shall be flagged in the field and cordoned off.
  - b. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. Developer shall dedicate a forty (40) foot wide greenway easement to the City of Winston-Salem along Salem Creek. Planning staff shall approve the location of said greenway easement. Greenway easement shall be recorded on final plat.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

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

SECOND: Terry Powell

VOTE:

FOR: Avant, Bost, Clark, Doyle, Folan, King, Norwood, Powell

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Kerry Avant certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Philip Doyle

VOTE:

FOR: Avant, Bost, Clark, Doyle, Folan, King, Norwood, Powell

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning