



DOCKET #: W2564

PROPOSED ZONING:
City RS9, RM8-S, and NSB-S

EXISTING ZONING:
County RS9, RM8-S,
and NSB-S

PETITIONER:
City of Winston-Salem for
property owned by others

SCALE: 1" represents 600'

STAFF: Gallaway

GMA: 3

ACRE(S): 63.92

MAP(S): 624822



August 21, 2002

The City of Winston-Salem for
property owned by others
c/o Bryce A. Stuart, Manager
P. O. Box 2511
Winston-Salem, NC 27102

RE: ZONING MAP AMENDMENT W-2564

Dear Mr. Stuart:

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: August 21, 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 map amendment of the City of Winston-Salem for property owned by Adams Egloff Avant Properties, LLC, Oliver's Crossing Homeowners Association, Westminster Homes, Inc., Steven R. Denyer, GMAC Model Home Finance, Inc., Oliver's Crossing (E&A) LLC

SUMMARY OF INFORMATION:

Zoning map amendment of the City of Winston-Salem for property owned by Adams Egloff Avant Properties, LLC, Oliver's Crossing Homeowners Association, Westminster Homes, Inc., Steven R. Denyer, GMAC Model Home Finance, Inc., Oliver's Crossing (E&A) LLC from County RS-9, RM-18-S, and NSB-S to City RS-9, RM-18-S, and NSB-S; property is located on the west side of Peters Creek Parkway south of South Fork Muddy Creek (Zoning Docket W-2564).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
EXCUSED: AVANT
SITE PLAN ACTION: NOT REQUIRED

CITY ORDINANCE - GENERAL USE

Zoning Petition of The City of Winston-Salem for property owned by Adams Egloff Avant Properties, LLC, Oliver's Crossing Homeowners Association, Westminster Homes, Inc., Steven R. Denyer, GMAC Model Home Finance, Inc., Oliver's Crossing (E&A) LLC, Docket W-2564

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

Tax Block 3871	Tax Lots 6P, 6U, and 6V
Tax Block 3871a	Tax Lots 000A, 000B, 000C, 000D, 001-008, 31-53, 66-77
Tax Block 3871c	Tax Lot 001

Section 2. This ordinance shall become effective upon adoption.

CITY ORDINANCE - SPECIAL USE

Zoning Petition of The City of Winston-Salem for property owned by Adams Egloff Avant Properties, LLC, Oliver's Crossing Homeowners Association, Westminster Homes, Inc., Steven R. Denyer, GMAC Model Home Finance, Inc., Oliver's Crossing (E&A) LLC, Docket W-2564

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 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 County RM-8-S (Residential Building, Multifamily; and Residential Building, Townhouse) and NSB-S (Neighborhood Shopping Center) to City RM-8-S (Residential Building, Multifamily; and Residential Building, Townhouse) and NSB-S (Neighborhood Shopping Center) the zoning classification of the following described property:

Tax Block 3871	Tax Lots 6P, 6U, and 6V
Tax Block 3871a	Tax Lots 000A, 000B, 000C, 000D, 001-008, 31-53, 66-77
Tax Block 3871c	Tax Lot 001

Section 2. This Ordinance is adopted after approval of the site plan entitled Shoppes at Oliver's Crossing and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to The City of Winston-Salem for property owned by Adams Egloff Avant Properties, LLC, Oliver's Crossing Homeowners Association, Westminster Homes, Inc., Steven R. Denyer, GMAC Model Home Finance, Inc., Oliver's Crossing (E&A) LLC.

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 Shoppes at Oliver's Crossing. 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 The City of Winston-Salem for property owned by Adams Egloff Avant Properties, LLC, Oliver's Crossing Homeowners Association, Westminster Homes, Inc., Steven R. Denyer, GMAC Model Home Finance, Inc., Oliver's Crossing (E&A) LLC, (Zoning Docket W-2564). 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 City RM-8-S (Residential Building, Multifamily; and Residential Building, Townhouse) and NSB-S (Neighborhood Shopping Center), 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 City RM-8-S and NSB-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 conditions previously approved for this site by the Forsyth County Board of Commissioners are still in effect for this property.

ZONING STAFF REPORT

DOCKET # W-2564
STAFF: Suzy Galloway

Petitioner(s): City of Winston-Salem
Ownership: Adams Egloff Avant Properties, LLC, Oliver's Crossing Homeowners Association, Westminster Homes, Inc., Steven R. Denyer, GMAC Model Home Finance, Inc., Oliver's Crossing (E&A) LLC

REQUEST

From: County RS-9, RM-18-S, and NSB-S
To: City RS-9, RM-18-S, and NSB-S

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

Acreage: 63.92 acres

LOCATION

Street: West side of Peters Creek Parkway south of South Fork Muddy Creek
Jurisdiction: City of Winston-Salem (to be annexed at the Board of Aldermen at the same date of this request, prior to the hearing of this request)
Ward: South

ANALYSIS

The current rezoning request consists of a 63.92 acre tract located on the west side of Peters Creek Parkway south of South Fork Muddy Creek. Specifically under review is the associated zoning conversion from County RS-9, RM-18-S, and NSB-S to City RS-9, RM-18-S, and NSB-S resulting from the 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 is made by the Board of Aldermen upon recommendation by the Public Works Committee.

This proposal will not change the permitted uses of the subject property, but will reclassify the newly incorporated property from its present 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.

The property owners were notified of this zoning classification change by certified mail and the certified receipt is on file in the zoning docket.

STAFF RECOMMENDATION

Zoning: **APPROVAL.**
PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Arnold King moved approval of the zoning map amendment.

SECOND: John Bost

VOTE:

FOR: Bost, Clark, Folan, King, Norwood

AGAINST: None

EXCUSED: Avant

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

SECOND: John Bost

VOTE:

FOR: Bost, Clark, Folan, King, Norwood

AGAINST: None

EXCUSED: Avant

A. Paul Norby, AICP
Director of Planning