



**DOCKET #:** W2569  
 (Continued from 8/8/02  
 CCPB meeting)

**PROPOSED ZONING:**  
 RM18-S (Residential  
 Building, Multifamily;  
 Residential Building,  
 Townhouse)

**EXISTING ZONING:**  
 RS9 and GB-S

**PETITIONER:**  
 Mega Builders, LLC, for  
 property owned by others

**SCALE:** 1" represents 400'

**STAFF:** Simmons

**GMA:** 3

**ACRE(S):** 10.03

**MAP(S):** 606842



September 20, 2002

Mega Builders, LLC  
c/o Michael Winstead  
P. O. Box 1472  
Greensboro, NC 27402

RE: ZONING MAP AMENDMENT W-2569

Dear Mr. Winstead:

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  
Lucy M. Donadio, 5925 Arden Drive, Clemmons, NC 27012  
S. Jane McCready, P. O. Box 10431, Rock Hill, SC 29731  
Kathy Hicks, 2942 Eddystone Lane, Winston-Salem, NC 27103

**ACTION REQUEST FORM**

**DATE:** September 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 map amendment of Mega Builders, LLC for property owned by S. Jane McCreedy, et al and Lucy M. Donadio, et al

**SUMMARY OF INFORMATION:**

Zoning map amendment of Mega Builders, LLC for property owned by S. Jane McCreedy, et al and Lucy M. Donadio, et al from RS-9 and GB-S (Shopping Center) to RM-18-S (Residential Building, Multifamily; and Residential Building, Townhouse): property is located at the northwest corner of Eddystone Lane and Smith Lake Road (Zoning Docket W-2569).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Mega Builders, LLC for property owned by S. Jane McCready, et al and Lucy M. Donadio, et al, Docket W-2569

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 and GB-S (Shopping Center) to RM-18-S (Residential Building, Multifamily; and Residential Building, Townhouse) the zoning classification of the following described property:

Tax Block 3901, Tax Lot 35E; and Tax Block 6435, Tax Lot 3

Section 2. This Ordinance is adopted after approval of the site plan entitled Summerlin Ridge and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to Mega Builders, LLC for property owned by S. Jane McCready, et al and Lucy M. Donadio, et al.

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 Summerlin Ridge. 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 Mega Builders, LLC for property owned by S. Jane McCready, et al and Lucy M. Donadio, et al, (Zoning Docket W-2569). 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-18-S (Residential Building, Multifamily; and Residential Building, Townhouse), 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-18-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. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

**C PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. On site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
- b. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show tentative building locations and all access and utility easements.
- c. Developer shall obtain and show on the final plat, a vehicular access easement through the Hanes Commons Shopping Center to Hanes Mall Boulevard.
- d. As volunteered by the petitioner, all the townhouse units shall have brick veneer construction.

**C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

- a. All required fire hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.
- b. Developer shall install curb and gutter along the entire length of the property adjacent to Smith Lake Road to the specifications of the Public Works Department of the City of Winston-Salem.
- c. Developer shall install a sidewalk at the outside edge of the public right-of-way along the entire length of the property adjacent to Smith Lake Road to the specifications of the Public Works Department of the City of Winston-Salem. Developer shall install all supplemental landscape plantings as shown on the approved site plan.
- d. Developer shall make improvements at the rear of the Hanes Commons Shopping Center as required by the City of Winston-Salem Department of Transportation.
- e. All required storm water devices shall be installed.
- f. Masonry walls a minimum six (6) feet in height shall screen a minimum of 75% of the frontage of outdoor living spaces of townhouse units backing up to Smith Lake Road and Eddystone Lane. Additionally, landscape plantings meeting the required size and number of the streetyard planting standards of UDO Section 3-4.3 (B) shall be installed along the entire frontage of townhouse units adjacent to Smith Lake Road and Eddystone Lane. Said plantings may be installed in a manner that will allow flexibility in the planting locations and spacing.

**C OTHER REQUIREMENTS**

- a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.

## **ZONING STAFF REPORT**

**DOCKET #** W-2569  
**STAFF:** Glenn Simmons

Petitioner(s): Mega Builders, LLC  
Ownership: Lucy Donadio, et al, and S. Jane McCready, et al

### **CONTINUANCE HISTORY**

This petition was continued from the August 8, 2002 Planning Board meeting to the September 12, 2002 meeting in order to allow for continued discussion between the petitioner and the adjoining property owners.

### **REQUEST**

From: RS-9 Residential Single Family District and GB-S General Business District (Shopping Center)  
To: RM-18-S Residential Multifamily District; maximum density 18 units/acre (Residential Building, Multifamily; and Residential Building, Townhouse)

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

Acreage: 10.03 acres

### **LOCATION**

Street: North side of Smith Lake Road and west side of Eddystone Lane.  
Jurisdiction: City of Winston-Salem.  
Ward: Southwest.

### **SITE PLAN**

Proposed Use: 96 multifamily units within four 24-unit structures; and 24 townhouse units within seven 3-unit and 4-unit structures.

Building Height: 45 feet.

Density: 11.96 dwelling units per acre, 120 units total.

Parking: Required: 221 spaces; proposed: 224 spaces.

Bufferyard Requirements: Minimum width 15-foot type II bufferyard adjacent to RS-9 zoning provided; no bufferyard required adjacent to GB-S zoning to the north.

Vehicular Use Landscaping Standards Requirements: Minimum width 10-foot streetyard provided along Eddystone Lane and Smith Lake Road.

## **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: One single family home; balance of site is heavily wooded.

Adjacent Uses:

- North - Hanes Commons Shopping Center.
- East - Across Eddystone Lane are single family homes zoned RS-9.
- South - Across Smith Lake Road is a lake (Fishing, Fee Charged) and at the western end of Smith Lake Road is a single family home zoned RS-9.
- West - Single family homes zoned RS-9.

## **GENERAL AREA**

Character/Maintenance: The site and the area west, south, and east of the site is characterized by moderately sized homes on large lots in good maintenance. Also to the south across Smith Lake Road is a semi-public pond for fishing. The northern edge borders a highly commercialized, rapidly developing area which fronts on Hanes Mall Boulevard.

Development Pace: Area north of the site is developing very quickly. The area on the other three sides is developing very slowly.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Topography: There is an approximate change in elevation of 28' on the subject property (from an approximate elevation of 846' in the south down to an approximate elevation of 818' in the north/northeast). The proposed project makes good use of the existing topography, except for a substantial amount of fill (10' to 15') near the private recreation area at the entrance to the pool and clubhouse area.

Streams: There is an intermittent stream that flows across the property from the southeast corner to the northern property line near the center of the property. There is a substantial amount of fill that will remove this intermittent stream from the Little Creek system. It appears that the downstream development of the Hanes Commons Shopping Center along Hanes Mall Blvd. may have already removed a portion of this intermittent stream.

Vegetation/habitat: The subject property is predominately vegetated, except for the existing house area, which is already developed/cleared.

Floodplains: No FEMA regulated floodplains.

## **TRANSPORTATION**

Direct Access to Site: Smith Lake Road; via Eddystone Lane; Stratford Road and Hanes Mall Boulevard via private easement through Hanes Commons Shopping Center.

Street Classification: Smith Lake Road - local road; Eddystone Lane - local road; Stratford Road - major thoroughfare.

Hanes Mall Boulevard is a major thoroughfare.

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

Smith Lake Road = No traffic count available.



Hanes Mall Boulevard = 25,000/28,000.

Stratford Road between Burke Mill Road and Somerset Drive = 24,000/42,200

Trip Generation/Existing Zoning: RS-9 & GB-S

RS-9:  $10.03 \times 43,560/9,000 = 48$  units  $\times 9.57$  (SFR Trip Rate) = 459 trips

GB-S: no site development potential = no Trips per Day, per staff

Trip Generation/Proposed Zoning: RM-18-S

Trip Generation/Proposed Zoning: RM-18-S

120 units (proposed)  $\times 6.63$  (Apt. Trip Rate) = 795 trips

Note: For comparison purposes, office development if approved for this parcel of land would generate the following amount of traffic.

Trip Generation/Office Zoning:

GO-S banking -  $10,000 \text{ sf}/1,000 = 10 \times 265.21$  trips per 1,000 sf per day = 2,652 trips per day

General Office District -  $70,000 \text{ sf}/1,000 = 70 \times 11.01$  trips per 1,000 sf per day = 770 trips per day

Total trips per day = 3,422

Connectivity of street network: The development proposes gated driveway connections to both Smith Lake Road and the Hanes Commons Shopping Center site to the north.

Sidewalks: Sidewalk connection is proposed through the development to the shopping center and along Smith Lake Road.

Transit: Route # 20 Hanes Mall Boulevard.

## **HISTORY**

Relevant Zoning Cases:

1. W-2471; RS-9 and GB-S (Shopping Center) to RM-12-S (Residential Building, Multifamily); denied Aug 6, 2001; north side of Smith Lake Road and west side of Eddystone Lane (current site); 10.03 acres; staff recommended denial and Planning Board recommended approval.
2. W-2388; RS-9 to GB-S (Shopping Center); approved June 19, 2000; south side of Hanes Mall Boulevard across from Westgate Center Boulevard; 35.77 acres; staff and Planning Board recommended approval.
3. W-2351; GB-S (Shopping Center) to Site Plan Amendment; approved December 6, 1999; north side of Hanes Mall Boulevard west of Westgate Center Drive; 26.15 acres; Planning Board and staff recommended approval.
4. W-2256; RM-18 and GB-S (Shopping Center) to GB-S (Shopping Center); approved November 5, 1998; north side of Hanes Mall Boulevard west of Westgate Center Drive; 26.15 acres; Planning Board and staff recommended approval.
5. W-2253; GB-S (Multiple Business Uses) to GB-S (Multiple Business Uses); approved November 2, 1998; south side of Hanes Mall Boulevard adjacent to current site to the west;

10.45 acres; Planning Board and staff recommended approval.

6. W-2014; RS-9 to GB-S (General Merchandise Store); withdrawn at the January 11, 1996, Planning Board public hearing; south side of Hanes Mall Boulevard across from Westgate Center Boulevard (including current site); 35.77 acres; staff recommended approval.

**CONFORMITY TO PLANS**

*Legacy* GMP Area: Urban Neighborhoods. This site is in the vicinity of the Hanes Mall metro activity center.

Relevant Comprehensive Plan Recommendation(s): *Legacy* promotes higher density development where appropriate and mixed-use developments with an interconnected street and pedestrian system.

Area Plan/Development Guide: *South Stratford Road Area Plan* (1989).

Relevant Development Guide Recommendation(s): The area plan identifies most of this site for low density residential use (0-5 dwelling units/acre). Single family projects are recommended within existing low density neighborhoods and vacant land. Higher density projects are recommended along major roads and in areas where sewer and other urban services will be available. The plan recommends retaining Atwood Acres as a low density residential area.

**WINSTON-SALEM/FORSYTH COUNTY SCHOOLS**

Winston-Salem/Forsyth County Schools have estimated this project, when completed, will add a total of 46 students to the system, as indicated by the following chart.

Project	Number Units	Schools	Projected Students from Project	2001-2002 Enrolled Students	2001-2002 Projected Students with Accumulated Totals since 4/24/01	School Capacity
Summerlin Ridge Townhouses	48	Bolton ES	21	649	670	708
		Wiley MS	11	841	852	842
		Reynolds HS	14	1758	1772	1426-1726

**ANALYSIS**

This is a request to rezone 10 acres of land from RS-9 and a small sliver of GB-S to RM-18-S. While the GB-S portion of the site was originally part of the Hanes Commons Shopping Center rezoning, its inclusion does not impact the approved site plan for the shopping center. The proposal is to allow 96 multifamily units in four 24 unit buildings and 24 townhouse units in seven 3 and 4 unit structures. The narrowly shaped site is situated between intensely developed retail commercial properties which face onto Hanes Mall Boulevard to the north of the site, and sparsely developed single family residentially zoned properties to the south, east and west.

Approximately one year ago this same ten acre site was the subject of a similar RM-12-S multifamily zoning proposal (W-2471) with the same number of total units, but without the townhouse component. That request was denied by the Board of Aldermen on August 6, 2001. As restricted in the UDO, a request for the same zoning classification cannot be resubmitted for two years from the date of application, however the same tract of land can be resubmitted with a different zoning request within one year of the date of application (April 9, 2001). Hence, the UDO does permit this property with comparable twelve unit per acre densities to be legally considered under the proposed RM-18-S zoning designation.

For several years this site has been the subject of speculation as to how it might ultimately develop. Located behind the newly developed Hanes Commons shopping center, this site is now sandwiched between an area of large retail stores and sparsely developed RS-9 zoned properties. In supporting the Hanes Commons shopping center zoning to GB-S Planning staff acknowledged the potential for the subject property to develop for offices or moderately dense multifamily uses. Especially given the physical relationship of the site overlooking the back and top of the shopping center, staff recognized that the property may not be ideally suited for conventional single family development. At the same time however, staff was cognizant of the need not to adversely affect existing, or potentially new, single family development proximate to the subject property.

Vehicular access to the site has also been the subject of much speculation and debate. Particularly with respect to the potential for opening vehicular access between Hanes Mall Boulevard and the existing Atwood Acres and Vestview residential neighborhoods, the current site is unique. The property has public street frontage to the south along Smith Lake Road and to the east along Eddystone Drive. The property also has access to Hanes Mall Boulevard via a private access easement to the traffic signal at the intersection with Westbrook Plaza Drive. Much of the discussion concerning the previous RM-12-S zoning proposal centered on neighborhood concerns for potential cut through traffic if Smith Lake Road or Eddystone Drive were connected to Hanes Mall Boulevard via the subject property.

To address these concerns the developer has proposed private gates at both entrances to thwart cut through traffic. Additionally, as part of the current zoning request the developer has provided a traffic impact analysis to show how Hanes Mall Boulevard and local residential streets surrounding the site would not be significantly impacted by the proposed new development. According to the analysis approximately 35 percent of the anticipated 795 trips generated from the proposed development will access onto Hanes Mall Boulevard. The larger 65 percent will access onto Stratford Road. The Winston-Salem DOT concurs with these findings and acknowledges that traffic impacts from the development will not significantly degrade existing transportation capacity in the area.

Planning staff was also concerned about the need to provide an appropriate transition of building scale between the large commercial developments located north of the site and single family neighborhoods to the east, south, and west. As an alternative to the previous RM-12-S zoning, and at Planning staff's request, the developer has proposed to locate smaller scale townhouse units along the southern and eastern edge of the site. Masonry walls a minimum of six feet in height are proposed to screen the outdoor living spaces of townhouse units backing up to Smith

Lake Road and Eddystone Lane. Additionally landscape plantings meeting the UDO streetyard planting standards are proposed to be installed along the frontage of townhouse units adjacent to Smith Lake Road and Eddystone Lane. The developer has also provided a sidewalk along Eddystone Lane and a well defined network of internal pedestrian sidewalks to link the development to the Hanes Commons Shopping Center.

Although the *South Stratford Road Area Plan* recommends low density residential for the general area of the subject property, recent acceleration of large scale, commercial development along the Hanes Mall/South Stratford corridors, has reduced the feasibility of constructing new single family residences on the subject property. Nevertheless, the development that does take place must be respectful of, and compatible with the existing residences in the Vestview and Atwood neighborhoods.

Subsequent to the August 8, 2002 Planning Board meeting the petitioner met with Atwood Acres neighborhood representations to consider the relocation of proposed vehicular access to the site from the north side of Smith Lake Road to the west side of Eddystone Lane. According to neighborhood representatives, the new location would better serve their interests to minimize traffic impacts in the area. Both Winston-Salem DOT and Planning staff agreed that the proposed new location would be acceptable and that it would not change the results of the previously reviewed traffic impact study.

The petitioner also agreed to the neighborhood's desire to extend a six foot high chain link fence along the western property line and terminating at the southwest corner of the property adjacent to Smith Lake Road. Although this fence purports to address neighborhood concerns, Planning staff notes that the fence would also prevent residents from the Atwood neighborhood from having more direct pedestrian access to the Hanes Commons Shopping Center. Ideally, staff would like to see a formalized pedestrian connection through the development, but does not wish to press the issue in the face of concerted neighborhood opposition.

Given the unusual circumstances of the site's location and configuration, staff believes that the developer has sufficiently addressed the principal concerns of building scale and traffic impacts.

## **FINDINGS**

1. *Legacy* promotes higher density development where appropriate and mixed-use developments with an interconnected street and pedestrian system.
2. Although the *South Stratford Road Area Plan* (1989) recommends low density residential use (0-5 dwelling units/acre), the large commercial development adjoining the site diminishes the feasibility of single family homes.
3. The petition generally addresses vital compatibility issues with the surrounding low density residential neighborhoods.

4. Traffic impacts to adjacent residential neighborhoods from an appropriately designed RM-18-S development with gated dual access should be no greater than the traffic impacts of the existing RS-9 zoning developed with only single access to Eddystone Lane.
5. Staff supports the requested RM-18-S zoning with the amended site plan which provides a better scale transition of buildings between the Hanes Commons Shopping center and RS-9 zoned properties located opposite Smith Lake Drive.

### **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions:

#### **C PRIOR TO THE ISSUANCE OF GRADING PERMITS**

- a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

#### **C PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. On site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
- b. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show tentative building locations and all access and utility easements.
- c. Developer shall obtain and show on the final plat, a vehicular access easement through the Hanes Commons Shopping Center to Hanes Mall Boulevard.

#### **C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

- a. All required fire hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.
- b. Developer shall install curb and gutter along the entire length of the property adjacent to Eddystone Lane to the specifications of the Public Works Department of the City of Winston-Salem.
- c. Developer shall install a sidewalk at the outside edge of the public right-of-way along Eddystone Lane and extending to the Hanes Commons Shopping Center site as shown on the approved site plan to the specifications of the Public Works Department of the City of Winston-Salem.
- d. Developer shall make improvements at the rear of the Hanes Commons Shopping Center as required by the City of Winston-Salem Department of Transportation.
- e. All required storm water devices shall be installed.
- f. Masonry walls a minimum six (6) feet in height shall screen a minimum of 75% of the frontage of outdoor living spaces of townhouse units backing up to Smith Lake Road and Eddystone Lane. Additionally, landscape plantings meeting the required

size and number of the streetyard planting standards of UDO Section 3-4.3 (B) shall be installed along the entire frontage of townhouse units adjacent to Smith Lake Road and Eddystone Lane. Said plantings may be installed in a manner allow flexibility in the planting locations and spacing.

**C OTHER REQUIREMENTS**

- a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet.

**PUBLIC HEARING** - August 8, 2002

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Dara Folan moved continuance of the zoning map amendment and site plan to September 12, 2002.

SECOND: Jimmy Norwood

VOTE:

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

AGAINST: None

EXCUSED: None

**PUBLIC HEARING** - September 12, 2002

Philip Doyle was excused from consideration of this zoning map amendment due to a potential conflict of interest.

Glenn Simmons presented the staff report.

FOR:

Mike Winstead, Jr., 6500 Horseman Trail, Summerfield, NC 27358

The building's about 94 feet from the property line on the west side. We've told the resident who lives closest to that point that we will try to maintain that tree line as far as we can which will probably be about 15-20 feet from the building. That was based on his request, so he is supportive of our request.

I'm a developer, contractor, and owner.

We've met with City staff several times and met with representatives of both neighborhoods.

We've adjusted our plan several times based on recommendations from these meetings. Distributed handouts.

This will be 120 unit apartments and townhouses.

About a year ago, we proposed a multifamily plan which consisted of entirely three-story buildings. The staff felt that plan fell short in transitioning to the single family neighborhoods and in traffic flow. We've tried to adjust to meet those concerns.

I think this is a multifamily or office site. This will offer a better transition than an office complex. This will be an upscale development with brick exteriors, gated access will keep traffic minimal, combined two and three story buildings offer a good transition between current shopping and residential. This transition would offer a better transition than an office would. An office development would probably not be gated and would not stop cut-through traffic.

This development provides minimal traffic impact. The traffic study projects only 1-2% increase to Hanes Mall/Westgate Center Drive and the Stratford/Atwood Drive intersections. The traffic study also shows an office development would create more of an impact.

The proposed development conforms to the *Legacy* plan. This is an ideal infill site for multifamily use which provides pedestrian access.

I ask for your support and would be glad to answer questions.

#### AGAINST:

Kathy Hicks, 2942 Eddystone Lane, Winston-Salem, NC 27103

Speaking for Vestview Association. We have had mixed emotions over the past few years.

It's because for the past eight years we have been continually approached about what would be happening with this property. We originally were told this site would remain as a buffer area. When Lowe's was put in, our buffer was eliminated for an unknown reason.

There are ten homes on Eddystone Lane. Most of this is family owned property which has been in the family for over 50 years. We're not going to give it up easily, obviously.

I'm used to 10-20 car trips down my road and this development will put 500 additional trips.

This is absolutely excessive in our opinion, considering this is the way we've lived for years and years and the encroachment is inching its way toward my house every year.

We've been misled so often that we aren't sure where to turn to be listened to.

Last year the Aldermen denied this proposal.

We are a buffer for Atwood Acres and we feel for them.

Many of our property owners are not willing to upgrade and maintain their property because they are concerned that they will be rezoned anytime. They are currently having to cross the road to their mailboxes and are frightened by the influx of people and traffic. Many of the residents are elderly and many of the property owners have now moved and are renting their properties because of the situation.

We would like to see a comprehensive plan as opposed to a piecemeal situation.

When I asked how traffic would be controlled if this request were approved. The response was speed bumps, but I thought speed bumps were only for commercial areas.

We feel this is a commercial nightmare. We don't know what the answer is, but we are growing weary and would like to look at the entire 38 acres and would like it developed as a whole (referring to Vestview Acres). The front row is deemed commercial at this point.

### **WORK SESSION**

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

1. Paul Norby reminded the Planning Board that references made by the petitioner to details like brick veneer, price of the units, and things like that can not be considered as part of the zoning. Such things as price cannot be considered and items like brick veneer can only be considered if the petitioner is willing to attach that as a condition or feature of the site plan.
2. All sides of condo and townhouses would be brick veneer as volunteered by petitioner.
3. The buffer at the Lowe's site was installed as required on the site plan per Aubrey Smith, Superintendent of Inspections; Steve Calaway - some of the plantings died during the ice storm.

MOTION: Arnold King moved approval of the map amendment.

SECOND: John Bost

VOTE:

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

AGAINST: None

EXCUSED: Doyle

SITE PLAN MOTION: Arnold King certified that the site plan meets all code requirements and recommends staff conditions, along with the additional conditions volunteered by the petitioner.

SECOND: John Bost

VOTE:

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

AGAINST: None

EXCUSED: Doyle

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A. Paul Norby, AICP  
Director of Planning