



DOCKET #: W2503

PROPOSED ZONING:
RSQ-S (Residential Building, Townhouse and Residential Building, Multifamily)

EXISTING ZONING:
RSQ-S

PETITIONER:
Gray, Gentry, and Key, Inc.

SCALE: 1" represents 400'

STAFF: Simmons

GMA: 3

ACRE(S): 4.87

MAP(S): 618834



September 19, 2001

Gray, Gentry and Key, Inc.
c/o Mark Randall Gentry
3023 Yadkin College Road
Lexington, NC 27295

RE: ZONING MAP AMENDMENT W-2503

Dear Mr. Gentry:

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
Barnes Daniels, 2728 Winslow Lane, Winston-Salem, NC 27103
Charles Huneycutt, 1656 Ebert Street, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: September 19, 2001
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 Gray, Gentry, and Key, Inc.

SUMMARY OF INFORMATION:

Zoning map amendment of Gray, Gentry, and Key, Inc. from RSQ-S (Residential Building, Quadraplex) to RSQ-S (Residential Building, Townhouse and Residential Building, Multifamily): property is located on the south side of Pope Road east of Lindale Street (Zoning Docket W-2503).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Gray, Gentry, and Key, Inc.,
Docket W-2503

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 RSQ-S (Residential Building, Quadraplex) to RSQ-S (Residential Building, Townhouse; and Residential Building, Multifamily) the zoning classification of the following described property:

Tax Block 3839, Tax Lot 37M

Section 2. This Ordinance is adopted after approval of the site plan entitled Silver Chase and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to Gray, Gentry, and Key, Inc.

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 Silver Chase. 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 Gray, Gentry, and Key, Inc., (Zoning Docket W-2503). 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 RSQ-S (Residential Building, Townhouse; and Residential Building, Multifamily), 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 RSQ-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.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
 - a. Developer shall record a final plat in the Office of the Register of Deeds. Final plat shall show lots, common areas, private access easements, public streets and public utilities.
- **PRIOR TO THE SIGNING OF FINAL PLATS**
 - a. All documents including covenants, restrictions, and homeowners association agreements shall be recorded in the office of the Register of Deeds. Final plats must show common open space declarations.

- b. Developer must dedicate thirty-five (35) feet of right-of-way from the south side of the existing centerline of Pope Road to the Winston-Salem Department of Transportation to be shown on the final plat.
 - c. Developer must build all public streets internal to the project to City of Winston-Salem standards.
 - d. Developer shall install a minimum five (5) foot wide sidewalk to City of Winston-Salem standards along the entire frontage of the property along the south side of Pope Road.
 - e. Developer shall install any required turn lanes on Pope Road in accordance with Winston-Salem Department of Transportation specifications.
- **PRIOR TO OCCUPANCY PERMITS**
 - a. Public water and sewer shall be installed in accordance with the City-County Utilities Commission requirements.
 - b. Fire hydrants shall be installed in accordance with the Winston-Salem Fire Department requirements.
 - c. Any required storm water management devices shall be installed.
 - d. Developer shall install a sidewalk to City of Winston-Salem standards along the entire frontage of the property along the south side of Pope Road.
- **OTHER REQUIREMENTS**
 - a. Developer may have one entrance sign on Pope Road. Said sign shall be a monument type with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.
 - b. RSQ zoning district requires a minimum 4:12 pitched roof.

ZONING STAFF REPORT

DOCKET # W-2503
STAFF: Glenn Simmons

Petitioner(s): Gray, Gentry and Key, Inc.
Ownership: Same

REQUEST

From: RSQ-S Residential single Family Quadraplex District; minimum lot sizes varies (Residential Building, Multifamily)
To: RSQ-S Residential single Family Quadraplex District; minimum lot sizes varies (Residential Building, Multifamily; and Residential Building, Townhouse) pending approval of associated UDO text amendment request to allow "Townhouse" as a permitted use in the RSQ zoning district.

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

Acreage: 4.87 acres

LOCATION

Street: Southwest corner of Pope Road and Lindale Street.
Jurisdiction: City of Winston-Salem.
Ward: South.

SITE PLAN

Proposed Use: Multifamily quadraplex units.
Square Footage: N/A.
Building Height: One and two story units.
Density: 7.5 units per acre.
Parking: Required: 1.75 spaces per two bedroom dwelling unit or 70 spaces; proposed: 70 spaces (including attached garages); layout: underneath and in front of units.
Bufferyard Requirements: No bufferyard required in context with current site plan.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: None.

Adjacent Uses:

North - Developed RS-9 zoned residential subdivision.
Northeast - Neighborhood scale church zoned RS-9.

- East - City fire station zoned RS-9. Vacant LB-S zoned land located farther east on southwest corner of intersection of Pope Road and Old Salisbury Road.
- Southeast - Developed LB zoned convenience store located on the west side of Old Salisbury Road south of intersection of Pope Road.
- South - Developed RS-9 zoned residential subdivision.
- West - Developed RS-9 zoned residential subdivision.
- Northwest - Neighborhood scale church zoned RS-9 and developed RS-9 zoned residential subdivision.

GENERAL AREA

Character/Maintenance: Well maintained single family homes in conventional RS-9 subdivisions and well maintained institutional uses located along Pope Road.

Development Pace: Moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site is currently cleared and graded.

Topography: Site slopes gently downward toward the west.

Streams: None.

Vegetation/habitat: Site is currently cleared and graded.

Constraints: No major constraints.

Floodplains: None.

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

TRANSPORTATION

Direct Access to Site: Pope Road.

Street Classification: Minor thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
3,900/16,100.

Trip Generation/Existing Zoning: Apartments: 34 units x 6.63 = 225 average weekday trips.

Trip Generation/Proposed Zoning: Townhomes: 40 units x 5.86 = 234 average weekday trips.

Planned Road Improvements: None.

Site Distance: Good.

Interior Streets: Public streets.

Connectivity of street network: As the result of the previously approved site plan for the existing RSQ-S zoning, the developer has built a previously unimproved portion of Silver Chase Lane (opposite Lindale Street) and has officially closed other unimproved portions of Old Pope Road.

Sidewalks: A sidewalk along the south side of Pope Road for the full length of the property requested by staff as a site plan condition.

HISTORY

Relevant Zoning Cases:

1. W-2413; RS-9 to RSQ-S (Residential Building, Multifamily); approved October 3, 2000; southwest corner of Pope Road and Lindale Street (current site); 5.36 acres; Planning Board and staff recommended approval.
2. W-1425; R-2-S (PRD) [comparable to RSQ] to R-3 (PRD) [comparable to RSQ]; approved March 9, 1987; southeast intersection of Wynwood Drive and Pope Road (approximately ½ mile west of current site); 14.77 acres; Planning Board and staff recommended approval.
2. W-1868; R-5 (comparable to RS-9) to B-3-S (Multiple business uses) (comparable to LB-S); approved February 7, 1994; southeast corner of Old Salisbury Road and Pope Road; adjacent to southeast corner of current site; 3.15 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods.

Relevant Comprehensive Plan Recommendation(s): Increase infill development within the municipal services area. Infill will reduce pressure for greenfield development on the suburban fringe and make the most efficient use of infrastructure (sewer, water, roads) and services already paid for by taxpayers. Infill development should be designed to be compatible with surrounding development so that it strengthens existing neighborhoods.

Area Plan/Development Guide: No.

ANALYSIS

The current request is a proposal to increase the number of previously approved quadruplex units in existing RSQ-S from thirty-four units to forty units. The petitioner also proposes to add the use classification "Townhouse" to the previously approved use of Residential Building, Multifamily. Since the use "Townhouse" is not currently allowed in RSQ zoning in Winston-Salem's zoning jurisdiction, the petitioner also proposes a companion UDO text amendment to allow such use in Winston-Salem (UDO-78). Staff notes that townhouse is a use allowed in the RSQ District elsewhere in Forsyth County. Otherwise the street layout as well as other aspects of the previously approved RSQ-S zoning are the same. Currently the site is graded with curb and gutter streets constructed in accordance with the previously approved RSQ-S site plan.

The property is generally situated in an area of well maintained single family subdivisions and institutional uses. The Winston-Salem Fire Department has a station located on the eastern edge of the property on the south side of Pope Road. Commercially zoned property is located near and contiguous to the site along Old Salisbury Road.

Planning staff considers the request to add six additional townhouse or condominium quadraplex units to the previously approved Special Use District site plan to be consistent with the original concept of the project. The site plan indicates that each of the units within each quadraplex building will have a garage.

Staff notes that the proposed building architecture and site plan design is not dependent upon approval of the companion UDO text amendment to allow the Townhouse use. The Townhouse use, if approved, would simply allow for a different form of ownership. Whereas the buyer of a multifamily condominium unit would not be deeded a parcel of land, a townhouse owner would. From the developer's perspective the townhouse form of ownership is considered more desirable, and therefore, more marketable.

FINDINGS

1. The property is currently zoned RSQ-S and allows thirty-four multifamily condominium units.
2. The proposed RSQ-S zoning requests an increase from 34 to 40 townhouse or condominium units.
3. The proposed Townhouse use is contingent on a UDO text amendment to allow such use in the RSQ zoning district in Winston-Salem's zoning jurisdiction.
4. The proposed site plan and building architecture is not dependent upon the approval of the companion UDO text amendment to allow the Townhouse use.
5. The proposed RSQ-S zoning and site plan is largely consistent with the previously approved RSQ-S zoning and existing character of the area.

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. 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.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
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 - a. Developer may have one entrance sign on Pope Road. Said sign shall be a monument type with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.
 - b. RSQ zoning district requires a minimum 4:12 pitched roof.

Glenn Simmons presented the staff report.

PUBLIC HEARING

FOR:

Bobby Key, 523 Mendenhall Drive, Winston-Salem, NC 27127

I'm going to assume the opposition is regarding traffic on London Lane.

Traffic will probably go right on Peters Creek. It's much easier than going through British Woods.

Thank you for your time.

AGAINST:

Barnes Daniels, 2728 Winslow Lane, Winston-Salem, NC 27103

I wish I'd taped my previous statements.

This property is typical of that which has accounted for 60% traffic increase in this area, according to the newspaper so it must be true.

We're talking about 9 trips a day on Pope Road, but many developments add up. There's more land on Ebert Road which is available for sale and development. A lot of people use London Lane to access the Career Center and Hanes Mall. There is a school bus stop adding to traffic congestion in this area. I think it's short sighted for anyone to just look at Pope Road. The City DOT has no known plans to relieve this traffic.

Charles Huneycutt, 1656 Ebert Street, Winston-Salem, NC 27103

When I-40 bypass was put in, it did a lot of favors to people who travel between Statesville and Greensboro, but it did us no good. It has added traffic to Ebert Street, Ebert Road, and Silas Creek Parkway.

All the developments put in this area add up.

If our area was the way it was 5, 10, 15, 20 years ago, you wouldn't even see us here.

There will continue to be wrecks until a stop light is put here.

WORK SESSION

During discussion by the Planning Board, the following point was made: It is difficult to see the appropriateness of denying all zoning changes in a large radius around London Lane. The more appropriate action would seem to be improving traffic flow and enforcing speed limits.

MOTION: John Bost moved approval of the zoning map amendment.

SECOND: Philip Doyle

VOTE:

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

AGAINST: None

EXCUSED: None

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

SECOND: Philip Doyle

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning