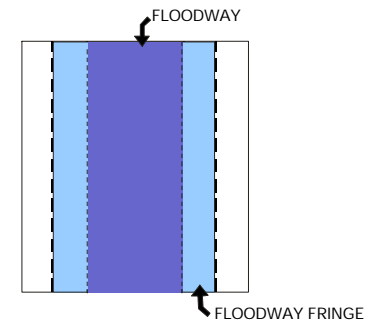


DOCKET #: W2381
 (Continued from 03-09-00
 CCPB Meeting)

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

EXISTING ZONING:
 RS9

PETITIONER:
 National Dev., LLC,
 for property owned
 by Lillian M. Griffith



SCALE: 1" represents 500'

STAFF: L. Weston

GMA: 3

ACRE(S): 39.34

MAP(S): 612834, 612838

April 19, 2000

National Development LLC
c/o G. Emmett McCall
633 W. 4th Street, Suite 150
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-2381

Dear Mr. McCall:

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
Herbert A. Snyder, Executor of the Estate of Lillian M. Griffith, 2618 Hickory Tree Road,
Winston-Salem, NC 27127
Alison Young, 151 Luzelle Drive, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: April 19, 2000
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 National Development LLC for property owned by the Estate of Lillian M. Griffith

SUMMARY OF INFORMATION:

Zoning map amendment of National Development LLC for property owned by the Estate of Lillian M. Griffith from RS-9 to RM-8-S (Residential Building, Multifamily): property is located on the east side of Griffith Road between Emsley Street and Snead Road and on the west side of Salem Creek (Zoning Docket W-2381).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Map Amendment of National Development LLC for property owned by Lillian M. Griffith,
Docket W-2381

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 RS-9 to RM-8-S (Residential Building, Multifamily) the zoning classification of the following described property:

BEGINNING at an iron in the eastern line of Griffith Road, said iron having NC Grid Coordinates N = 255390.362 meters and E = 491621.396 meters (NAD 83), and being located south 02E 11' 45" west 2,749.84 feet from NCGS Monument "Myers" having Grid Coordinates of N = 256227.845 meters and E = 491653.508 meters (NAD 83), said place of beginning also being the southwest corner of Griffith Commons Tract 101 as recorded in Plat Book 41, Page 191, Forsyth County Registry; running thence from said beginning point south 86E 12' 37" east 2,389.47 feet to an iron in the southeast corner of that property now or formerly owned by Jerry T. Scott (Tax Block 3934, Lot 4A); running thence south 62E 30' 37" east 543.00 feet to an iron in the Salem Creek; running thence with Salem Creek south 28E 57' 36" west 731.71 feet to an iron, the northeast corner of that property now or formerly owned by Brenda G. Flynt (Tax Block 3933, Lot 13B); running thence with Flynt's northern line north 74E 41' 37" west 2,635.08 feet to an iron in the center line of Griffith Road; running thence with the center line of Griffith Road the following two (2) courses and distances: (1) on a curve to the left having a radius of 834.06 feet, an arc length of 128.26 feet and a chord bearing and distance of north 03E 09' 13" east 128.14 feet to an iron, and (2) north 01E 15' 07" west 227.14 feet to an iron; running thence south 86E 12' 37" east 27.94 feet to the point and place of beginning, containing 39.33 acres more or less, as shown on a survey prepared by Jamestown Engineering Group, Inc., dated January 31, 2000, and designated as Job No. 99255.

The foregoing property is designated as Tax Block 3933, Lot 14, as shown on the Forsyth County Tax Maps, as said maps are presently constituted.

Section 2. This Ordinance is adopted after approval of the site plan entitled Griffith Terrace Apartments and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to National Development LLC for property owned by Lillian M. Griffith.

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 Griffith Terrace Apartments. 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 map amendment of National Development LLC for property owned by Lillian M. Griffith, (Zoning Docket W-2381). 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), approved by the Winston-Salem Board of Aldermen the _____ day of _____, 19____" 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:

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 all tentative building locations and all access easements and any other requirements listed below.

- c. Developer shall dedicate right-of-way of a minimum of forty (40) feet from the centerline of Griffith Road in fee simple to the North Carolina Department of Transportation along the entire frontage of the property along Griffith Road. Said right-of-way dedication shall be shown on the final plats.
- d. All private streets shall have names approved by the Planning staff. Said private streets shall be shown on the final plats. Street signs shall be installed in accordance with the requirements of the City of Winston-Salem.

C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS

- a. All required storm water management devices shall be installed.
- b. Developer shall widen Griffith Road eighteen (18) feet from centerline with curb and gutter along the entire frontage of the property. Additionally, developer may be required to install some ribbon pavement widening on the west side of Griffith Road for the installation of turn lanes into this property. Both of these widenings shall be installed to the specifications of the Public Works Department of the City of Winston-Salem and the NCDOT prior to the signing of final plats. Approval of the road work by the NCDOT will include placing final overlay pavement on the road and the posting of a bond during construction of the road work.
- c. Developer shall dedicate to the City of Winston-Salem a forty (40) foot wide greenway easement centered on the sewer line easement or floodway.

C OTHER REQUIREMENTS

- a. Signage shall be limited to two (2) each five (5) foot high free-standing monument signs with a maximum copy area of eighteen (18) square feet.
- b. Developer shall install dumpsters in accordance with City of Winston-Salem standards.

ZONING STAFF REPORT

DOCKET # W-2381
STAFF: Larry F. Weston

Petitioner(s): National Development, LLC
Ownership: Lillian M. Griffith

CONTINUANCE HISTORY: This petition was initially scheduled to be heard on March 9, 2000. It was continued to April 13, 2000, at the request of the petitioner to allow time to consider site plan modifications recommended by staff.

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: 39.34 acres

LOCATION

Street: East side of Griffith Road between Emsley Street and Snead Road.
Jurisdiction: City of Winston-Salem.
Ward: South.

SITE PLAN

Proposed Use: Multifamily residential.
Square Footage: Nineteen buildings containing 212 units.
Building Height: Two and three story.
Density: 5.39 units per acre.
Parking: 375 spaces required; 391 spaces provided.
Bufferyard Requirements: A type II bufferyard is required adjacent to RS-9 zoning.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is currently vacant.

Adjacent Uses:

North - Griffith Commons Apartments zoned RM-12-S.
East - Salem Creek and vacant land zoned GI.

South - Vacant, wooded land and single family homes zoned RS-9.
West - Single family homes across Griffith Road zoned RS-9.

GENERAL AREA

Character/Maintenance: Well-maintained single family homes and multifamily units under construction.

Development Pace: Slow to moderate.

PHYSICAL FEATURES

Topography: Site slopes down to the east.

Streams: A small stream runs in a southerly direction on the eastern portion of the site.

Vegetation/habitat: Site is currently wooded.

Constraints: Steep slopes and the stream are located in an area where no development is proposed.

Impact on Existing Features: Minor.

TRANSPORTATION

Direct Access to Site: Griffith Road.

Street Classification: Minor thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day): North of Clemmons Road - 4,300/12,000

Trip generation/existing zoning (average week day): RS-9 - (39.34 acres) $1,713,650/9,000 = 190 \times 9.55 = 1,815$ new trips

Trip generation/proposed zoning (average week day): RM-8-S - 212 units $\times 6.47 = 1,372$ new trips

Sight Distance: Good.

HISTORY

Relevant Zoning Cases:

1. W-2119; RS-9 to RM-8-S (Residential Building, Multifamily); petition was withdrawn on February 7, 2000; north side of Hampton Road, east of Scott Hollow Drive and Griffith Road; 14.73 acres; Planning Board recommended denial, staff recommended approval.
2. W-2091; RS-9 to LO; approved October 7, 1996; east side of Griffith Road, north of Griffith Plaza Drive; 0.97 acre; Planning Board and staff recommended approval.
3. W-1864; R-6 to R-1-S (Planned Residential Development; Nursing Home; Dwellings: Single Family; and Dwellings: Multifamily); approved January 3, 1994; southwest side of Burke Mill Road, east of Bethel Church Road, and east side of Griffith Road, south of Burke Mill Road; 25.77 acres; Planning Board and staff recommended approval.

4. W-1249; R-6 to R-2-S (Dwellings: Multifamily - TWO PHASE); approved September 3, 1985; east side of Griffith Road, across from Emsley Road; 13.03 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 3: Urban.

Relevant Comprehensive Plan Recommendation(s): Provide residential areas that offer a variety of housing densities, types, sizes, costs, and locations to meet projected demand; and preservation of stable neighborhood areas. Promote higher residential densities in growth areas 1, 2, and 3; provide residential areas that offer a variety of housing densities, types, sizes, costs and locations to meet projected demand; locate residential development in relation to the availability of employment, commercial services, public utilities and facilities, and transportation modes;

Area Plan/Development Guide: *South Stratford Road Development Guide*.

Relevant Development Guide Recommendation(s): Moderate density residential (0 to 8 units per acre).

ANALYSIS

This petition is for a multifamily residential development. The site is located within the boundaries of the *South Stratford Road Development Guide* which recommends moderate density residential land uses (0 to 8 units per acre) for this area. The proposed development is for 5.39 units per acre.

The 39.34 acre site has physical constraints which include steep topography on the east side of the site and a stream (Salem Creek) running just east of the property. The development is proposed to be clustered in the west end of the site adjacent to Griffith Road. Across Griffith Road from this site and extending north and south is an existing low density single family neighborhood. Immediately north of the site are the Griffith Commons Apartments, now under construction.

Since the proposed density is only 5.39 units per acre, the traffic impacts will be slightly higher than would be expected under RS-9 zoning (which equates to a density of about 4.8 units/acre). There would be an increase in trips generated of approximately 32%.

In general, staff believes the proposed overall density is consistent with the recommendations of the *South Stratford Road Development Guide*. Preservation of the existing stream and wooded area through clustering is a valuable development alternative. A 40' greenway easement is being placed as a condition of approval of the site plan, and pedestrian access from the development to the greenway is recommended by the area plan and is being required by staff.

FINDINGS

1. The petition is consistent with *Vision 2005*.
2. The petition meets the objectives of the *South Stratford Road Development Guide*.
3. This petition is for a multifamily housing development with a density of 5.39 units per acre.
4. The site has physical constraints which include steep slopes and an existing stream which runs through the property.
5. Staff is requiring that a 40' greenway easement be provided along Salem Creek and that pedestrian access connect the development to the greenway.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

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

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- 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.

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- b. Developer shall install dumpsters in accordance with City of Winston-Salem standards.

[For Information Purposes Only: The site is located within the Municipal Services Area - suburban neighborhoods. The Legacy plan promotes increased residential densities within the municipal services area and a mix of housing types.]

Glenn Simmons presented the staff report.

PUBLIC HEARING

FOR:

Emmett McCall, 633 W. Fourth Street, Winston-Salem, NC 27101

I represent the petitioner.

We sent letters to 37 neighbors and met with 19 of them. We had a congenial meeting and

I understand their main concern to be traffic, much of that not on Griffith Road itself, but on surrounding roads.

The developer did a survey and discovered there is a demand for apartments in this area.

This would provide alternative housing to those who work close by.

We can't do a lot about the traffic, but we will not be producing any more traffic than would occur if it was developed as currently zoned.

This request is less intense than many nearby industrial uses which could also be considered for this site.

This meets the development guide.

We will add to the traffic, but don't believe we will be bringing it to a choking point.

AGAINST:

Alison Young, 151 Luzelle Drive, Winston-Salem, NC 27103

We have several concerns about another apartment complex being built in our area. There are apartments being constructed now on land that was already zoned for apartments and therefore we were not provided an opportunity to express our opinion on that issue.

The traffic count is from 1998 from which time we have had significant development in this area.

Please consider our current traffic problems. We don't feel it's prudent to add to the problems.

WORK SESSION

During discussion by the Planning Board, the following point was made:

Steve Johnson asked how much of the property will be left undeveloped? Mr. McCall indicated approximately 25%.

MOTION: Kerry Avant moved approval of the zoning map amendment.

SECOND: Arnold King

VOTE:

FOR: Avant, Bost, Johnson, King, Powell, Rousseau, Schroeder, Williams

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Kerry Avant certified that the site plan meets all code requirements, and staff recommendations should apply.

SECOND: Arnold King

VOTE:

FOR: Avant, Bost, Johnson, King, Powell, Rousseau, Schroeder, Williams

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning