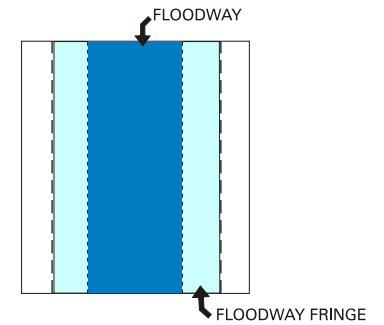


**DOCKET #:** W2420

**PROPOSED ZONING:**  
City RM8-S (PRD)

**EXISTING ZONING:**  
County RM8-S (PRD)

**PETITIONER:**  
City of Winston-Salem  
for property owned by  
Adams Egloff Avant  
Properties, LLC



**SCALE:** 1" represents 400'

**STAFF:** Hughes

**GMA:** 3

**ACRE(S):** 13.35

**MAP(S):** 594838

September 20, 2000

Mr. Bryce Stuart  
City of Winston-Salem  
P.O. Box 2511  
Winston-Salem, N.C. 27102

RE: ZONING MAP AMENDMENT W-2420

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  
Adams Egloff Avant Properties, LLC, 150 Charlois Blvd., Apt 5-224, Winston-Salem,  
NC 27103

**ACTION REQUEST FORM**

**DATE:** September 20, 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 Winston-Salem for property owned by Adams Egloff Avant Properties, LLC.

**SUMMARY OF INFORMATION:**

Zoning map amendment of City of Winston-Salem for property owned by Adams Egloff Avant Properties, LLC from County RM-8-S (PRD) to City RM-8-S (PRD): property is located on the east side of Muddy Creek and south side of Peace Haven Road; property is somewhat rectangular in shape fronting ±705 feet on the southeast side of Peace Haven Road and ±800 feet on the northeast side of Muddy Creek; property consists of ±13.35 acres and is a portion of Tax Lot 72K, Tax Block 3899 as shown on the Forsyth County Tax Maps and on a site plan on file in the office of the City-County Planning Board (Zoning Docket W-2420).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Winston-Salem for property  
owned by Adams Egloff Avant Properties, LLC,  
Docket W-2420

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 (Planned Residential Development) to City RM-8-S (Planned Residential Development) the zoning classification of the following described property:

BEGINNING at a North Carolina Department of Transportation (NCDOT) concrete right-of-way monument in the southern right-of-way line of Peace Haven Road, said monument is located North 19 degrees 38 minutes 24 seconds West 502.46 feet to a three-eighths inch existing iron pipe, North 15 degrees 20 minutes 17 seconds West 134.91 feet to a one-half inch new iron pipe in the southern right-of-way line of said road, South 48 degrees 48 minutes 16 seconds West 118.73 feet, along said right-of-way to a one-half inch new iron pipe, a chord bearing and distance having a radius of 4279.27 feet of a curve in said road to the right South 51 degrees 46 minutes 35 seconds West 443.75 feet to a one-half inch new iron pipe and South 54 degrees 44 minutes 54 seconds West 295.79 feet, South 54 degrees 44 minutes 54 seconds West 295.79 feet along said road to a one-half inch new iron pipe and South 36 degrees 14 minutes 44 seconds East 25.00 feet to said NCDOT monument from the southwest corner of the William J. & Katherine J. Sparks tract of land recorded DB 1952, Pg 39 (Tax Lot 118 - Block 3899):  
RUNNING THENCE North 36 degrees 14 minutes 44 seconds West 25.00 feet, along the said right-of-way line to a one-half inch new iron pipe; THENCE North 54 degrees 44 minutes 54 seconds East 295.79 feet, along the said right-of-way line, to a one-half inch new iron pipe; THENCE a chord bearing and distance having a radius of 4279.27 feet, along a curve to the left in said right-of-way North 52 degrees 52 minutes 48 seconds East 279.08 feet to a point at the intersection of a new proposed street right-of-way; THENCE South 39 degrees 16 minutes 30 seconds East 65.74 feet, along the western right-of-way line of said new street to a point the PC (point of curve); THENCE a chord bearing and distance having a radius of 390.00 feet, along a curve to the right in said western right-of-way line, South 29 degrees 27 minutes 27 seconds East 133.00 feet to a point the PT (point of tangent); THENCE South 19 degrees 38 minutes 24 seconds East 305.18 feet, along the said western right-of-way line to a point the PC (point of curve); THENCE a chord bearing and distance having a radius of 250.00 feet, along a curve to

the left in said western right-of-way line South 39 degrees 09 minutes 58 seconds East 167.12 feet to a point; THENCE the following (7) seven new lines with Louise J. Sparks: South 02 degrees 55 minutes 07 seconds West 159.08 feet, South 14 degrees 19 minutes 45 seconds West 113.14 feet, South 32 degrees 50 minutes 23 seconds West 112.03 feet to a point, South 73 degrees 14 minutes 19 seconds West 123.29 feet to a point, South 50 degrees 56 minutes 08 seconds West 69.87 feet to a point, South 32 degrees 51 minutes 08 seconds West 91.63 feet to a point and South 84 degrees 05 minutes 18 seconds West 212.30 feet to a point a new corner in the center of Muddy Creek; THENCE the following (3) three lines along the center of said Muddy Creek, which is the eastern line of K Partnership (DB 1751, Pg 1796 - Tax Lot 418-C Block 4233): North 22 degrees 04 minutes 17 seconds West 263.24 feet to a point, North 26 degrees 42 minutes 25 seconds West 235.70 feet to a point, North 29 degrees 50 minutes 16 seconds West 272.35 feet to a one-half inch new iron pipe in the said right-of-way line of Peace Haven Road; THENCE North 54 degrees 49 minutes 07 seconds East 129.67 to said concrete monument the PLACE OF BEGINNING. Containing 13.388 acres more or less.

Section 2. This Ordinance is adopted after approval of the site plan entitled Wynbrook Square and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to Adams Egloff Avant Properties, 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 Wynbrook Square. 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 Winston-Salem for property owned by Adams Egloff Avant Properties, LLC, (Zoning Docket W-2420). 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 (PRD), 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 conditions previously approved for the site in Zoning Docket F-1270 be met.

## ZONING STAFF REPORT

**DOCKET #** W-2420

**STAFF:** Suzanne Hughes

Petitioner(s): City of Winston-Salem

Ownership: Adams Egloff Avant Properties, LLC

### **REQUEST**

From: County RM-8-S Residential Multifamily District; maximum density 8 units/acre  
(Planned Residential Development)

To: City RM-8-S Residential Multifamily District; maximum density 8 units/acre  
(Planned Residential Development)

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

Acreage: 13.35 acres

### **LOCATION**

Street: East side of Muddy Creek and south side of Peace Haven Road.

Jurisdiction: City of Winston-Salem.

Ward: Annexation petition pending, closest ward is Southwest.

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

Greenway Plan: *Vision 2005*

Greenway/Trail Name: Muddy Creek

Easement Requested: 40 feet

Side of Creek: East

Is site designated for parks/open space? No

Comments/Status of Trail: See zoning docket F-1270 and subdivision 99038 for this parcel of land. Condition required dedication of 40-foot greenway easement along Muddy Creek, centered on the existing 20-foot sewer easement. Additionally 10-foot pedestrian easements from end of each cul-de-sac to the greenway easement are required.

### **ANALYSIS**

Currently there is an annexation petition pending before the Board of Aldermen for approximately 64 acres, which includes the property in this rezoning request. The current rezoning request contains 13.35 acres; the adjoining zoning lot described in zoning docket W-2419 is also being petitioned for annexation. The property is located along the east side of Muddy Creek between Peace Haven Road and I-40.

This proposal will not change the permitted uses of the subject property, but will reclassify this newly incorporated property (once finalized) from its present Forsyth County zoning classification to the equivalent City of Winston-Salem zoning classification. The two zoning classifications are equivalent; there are no changes in development rights or constraints.

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

### **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the previously approved for the site in Zoning Docket F-1270.

[*For information purposes only:* The draft *Legacy* plan identifies the area within which the project is located as the Suburban Neighborhood area. A variety of urban and suburban development is appropriate.]

### **PUBLIC HEARING**

FOR: None

AGAINST: None

### **WORK SESSION**

MOTION: James Rousseau moved approval of the zoning map amendment.

SECOND: John Bost

VOTE:

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

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: James Rousseau moved approval of the site plan with the conditions previously approved for the site in zoning docket F-1270.

SECOND: John Bost

VOTE:

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

AGAINST: None

EXCUSED: None

---

A. Paul Norby, AICP  
Director of Planning