



**DOCKET #:** W2429

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

**EXISTING ZONING:**  
RS9

**PETITIONER:**  
K. T. Isenhour  
Construction Co., Inc.

**SCALE:** 1" represents 400'

**STAFF:** Hughes

**GMA:** 3

**ACRE(S):** 19.48

**MAP(S):** 600846, 600842

October 18, 2000

K. T. Isenhour Construction Co., Inc.  
3411 Healy Drive, Suite A  
Winston-Salem, NC 27103

RE: ZONING MAP AMENDMENT W-2429

Dear Mr. Isenhour:

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  
Ron Bird, 4986 Lombardy Lane, Winston-Salem, NC 27103  
Jeanette Davis, 4835 Sutton Place, Winston-Salem, NC 27103  
Cornelia W. Bailey, 7251 Lasater Road, Clemmons, NC 27012-9134

**ACTION REQUEST FORM**

**DATE:** October 25, 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 K. T. Isenhour Construction Co., Inc. for property owned by Cornelia W. Bailey

**SUMMARY OF INFORMATION:**

Zoning map amendment of K. T. Isenhour Construction Co., Inc. for property owned by Cornelia W. Bailey from RS-9 to RM-8-S (Residential Building, Multifamily; and Residential Building, Townhouse): property is located on the south side of Kester Mill Road and on the north side of Westchester Road west of Jonestown Road (Zoning Docket W-2429).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of K. T. Isenhour Construction Co., Inc. for property owned by Cornelia W. Bailey,  
Docket W-2429

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 to RM-8-S (Residential Building, Multifamily; and Residential Building, Townhouse) the zoning classification of the following described property:

**BEGINNING** at a point in the southern right of way of Kester Mill Road, said point being the north west corner of the within described tract, said iron also being the north east corner of William R. Jones (deed book 722 page 149), thence with the southern right of way of Kester Mill Road S89-10'35"E 918.00' to a point, a new corner of Cornelia W. Bailey et-al, thence on new line with Cornelia W. Bailey et-al the following two (2) courses, S04-20'W 378.28' to a point, thence N64-47'45"E 40.17' to a point, said point being the south west corner of Richard P. Bennett (deed book 1972 page 1734), thence with the southern property line of Richard P. Bennett N64-47'45"E 137.62' to a point in the western property line of Woodsmill Partners, LTD. (deed book 1423 page 82, said point also being the south east corner of Richard P. Bennett (deed book 1972 page 1734), thence with the western property line of Woodmill Partners, LTD. And Charles F. Woosley Heirs (deed book 757 page 180) S04-20'W 539.79' to a point in the northern right of way of Westchester Road, thence with the northern right of way of Westchester Road the following four (4) courses N87-19'W 246.40 to a point, thence N87-52'W 189.89' to a point, thence on a curve to the left having a radius of 415.11' and a chord bearing and distance of S80-41'W 164.81' to a point, thence S69-14'W 60.60' to a point, said point being the eastern most corner of lot 125 of Westbrook as recorded in plat book 21 page 17, thence with the northern property line of lots 125 and 124 N85-43'30"W 402.00' to a point in the northern property line of lot 124 of the above mentioned plat, said point also being the south east corner of William R. Jones, thence with the eastern property line of William R. Jones N03-08'E 853.80' to the point and place of **BEGINNING**. Containing 19.48 acres more or less, and being tax lot 203 and the major portion of tax lots 204-C and 7-C, tax block 3904, tax map no. 600846.

Section 2. This Ordinance is adopted after approval of the site plan entitled Tatton Park and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to K. T. Isenhour Construction Co., Inc. for property owned by Cornelia W. Bailey.

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 Tatton Park. 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 K. T. Isenhour Construction Co., Inc. for property owned by Cornelia W. Bailey, (Zoning Docket W-2429).

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; 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-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:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS FOR THE FUTURE PHASE**
  - 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 OCCUPANCY PERMITS**
  - a. Developer shall widen Kester Mill Road with curb and gutter 18 feet from centerline through the frontage of the property to the specifications of the Public Works Department of the City of Winston-Salem.
  - b. Developer shall install a left turn lane on Kester Mill Road to the specifications of the Public Works Department of the City of Winston-Salem.

- c. Developer shall install a sidewalk along the entire frontage of Kester Mill Road to the specifications of the Public Works Department of the City of Winston-Salem.
- d. A fifteen (15) foot Type II bufferyard shall be installed adjacent to RS-9 zoning.

- **OTHER REQUIREMENTS**

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

## ZONING STAFF REPORT

**DOCKET #** W-2429  
**STAFF:** Suzanne Hughes

Petitioner(s): K. T. Isenhour Construction Co., Inc.  
Ownership: Cornelia W. Bailey

### **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; 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: 19.48 acres

### **LOCATION**

Street: South of 421 and west of Jonestown Road.  
Jurisdiction: City of Winston-Salem.  
Ward: Southwest.

### **SITE PLAN**

Proposed Use: Multifamily/townhomes.  
Building Height: 38 feet.  
Density: 7.957 dwelling units per acre.  
Parking: Required: 310; Proposed: 344  
Bufferyard Requirements: Type II bufferyard required adjacent to RS-9 zoned properties.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: None. Site is heavily wooded.

Adjacent Uses:

North - Across Kester Mill Road are single family homes zoned RS-9 and business uses zoned HB.

East - Small office building zoned LO-S, Texaco convenience store and self-storage facility zoned HB, and multifamily development zoned RMU-S, all facing Jonestown.

Southeast - A church zoned IP (fronting on Jonestown Road).

South - Single family homes zoned RS-9.

West - Wooded area zoned RS-9.



## **GENERAL AREA**

Character/Maintenance: There is a mix of land uses in the area, including well maintained single family homes, multifamily development, and businesses.

Development Pace: Moderate.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Site is heavily wooded; clearing required for development. Some trees at the southwest corner of the site are to be retained.

Topography: From center of property, site slopes down to the north and southeast.

Vegetation/habitat: Site is heavily wooded.

Constraints: No major constraints.

## **TRANSPORTATION**

Direct Access to Site: Kester Mill Road; Jonestown Road

Street Classification: Kester Mill Road - local street; Jonestown Road - minor thoroughfare.

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

Jonestown Road - south of Hanes Mall Boulevard 16,400/27,000

Trip Generation/Existing Zoning: RS-9

19.48 acres x 43,560sf = 848,548.8/9,000sf = 94 lots x 9.57 (trip rate) = 900 new trips

Trip Generation/Proposed Zoning: RM8-S

Multifamily Apartment - 120 units x 6.63 (trip rate) = 796 new trips

Townhouses - 35 units x 5.86 (trip rate) = 205 new trips

Total proposed new trips = 1,001

Planned Road Improvements: State Transportation Improvement Program (TIP) Project #

B-4336 - Replace Kester Mill Road Bridge over Silas Creek (approximately 1/2 mile west of site) - Construction to begin in 2004.

Transit: WSTA - Westside Connector runs along Kester Mill Road east of Jonestown Road and along Jonestown Road from Kester Mill Road north towards US 421.

## **HISTORY**

Relevant Zoning Cases:

1. W-2423; RS-9 and LO-S (Professional Office) to LB-S (Professional Offices; Offices Miscellaneous, Medical and Surgical Offices; and Services, Business A); approved October 2, 2000; south side of Kester Mill Road across from Kirk Road adjacent to current site on the northeast; 1.21 acres; Planning Board and staff recommended approval.
2. W-2134; LO-S and RS-9 to LO-S (Professional Offices); approved February 13, 1994; south side of Kester Mill Road at the intersection of Kester Mill Road and Kirk Road; 0.91 acre; Planning Board and staff recommended approval.

3. W-2373; RS-9 to GI and GI-S (Buffer); approved March 6, 2000; north side of Kester Mill Road west of Jonestown Road; 8.62 acres; Planning Board recommended denial, staff recommended approval.

### **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): Separation and buffering of commercial, office, and industrial uses from residential areas; development of activity nodes at planned locations; provision of a variety of types, locations, and costs of housing.

Area Plan/Development Guide: None.

### **ANALYSIS**

The current request is a proposal to rezone 19.48 acres from RS-9 to RM-8-S (Residential Building, Multifamily) and develop with multifamily and town home structures. In the area, there are other multifamily uses, as well as single family, office and commercial uses. The proposed access to the property is on both Westchester Road and Kester Mill Road.

The property is situated between office and commercial uses to the north, multifamily uses to the east, and a single family development to the south. The proposed site plan shows a "multifamily" area on the northern side of the property near office and commercial uses (proposed density of 11.81 units/acre); and a "town house" area along the southern edge neighboring single family uses (proposed density of 3.76 units/acre). The townhouse area provides greater than minimum setbacks off adjacent RS-9 property, with no large surface parking area. A stormwater management pond is proposed in the southwest corner, along with the retention of existing trees.

The graduation of intensity of this project (in terms of density and impervious surface coverage) follows that of the intensities of neighboring uses, in that the more dense development is adjacent to the multifamily and non-residential uses on the north, with less dense uses near the single family neighborhood on the south. The proposed project would be a beneficial transition between the more intense office and commercial uses to the north and the less intense residential uses to the south.

### **FINDINGS**

1. The current request is a proposal to rezone 19.48 acres from RS-9 to RM-8-S (Residential Building, Multifamily) in multifamily and town home structures.
2. The property is situated between office and commercial uses to the north, multifamily uses to the east, and a single family development to the south.

3. The graduation of intensity of this project follows that of the intensities of neighboring uses.
4. The proposed project would be a beneficial transition between the more intense office and commercial uses to the north and the less intense residential uses to the south.
5. The project is consistent with recommendations in the comprehensive plan.

### **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 FOR THE FUTURE PHASE**
  - 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 OCCUPANCY PERMITS**
  - a. Developer shall widen Kester Mill Road with curb and gutter 18 feet from centerline through the frontage of the property to the specifications of the Public Works Department of the City of Winston-Salem.
  - b. Developer shall install a left turn lane on Kester Mill Road to the specifications of the Public Works Department of the City of Winston-Salem.
  - c. Developer shall install a sidewalk along the entire frontage of Kester Mill Road to the specifications of the Public Works Department of the City of Winston-Salem.
  - e. A fifteen (15) foot Type II bufferyard shall be installed adjacent to RS-9 zoning.
- **OTHER REQUIREMENTS**
  - a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet at each entrance.

*[For information purposes only: The draft Legacy plan indicates the site is located in the Suburban Neighborhoods Area of the MSA (Metropolitan Statistical Area) where much of future residential, commercial and industrial development should occur (p. 19). One of the goals of the Growth Management Plan is higher development densities within the MSA (p. 24).]*

David Reed noted that a letter of opposition to this request has been submitted and a copy is on file (see attached).

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Steve Johnson moved approval of the zoning map amendment.

SECOND: John Bost

VOTE:

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

AGAINST: None

EXCUSED: None

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

SECOND: John Bost

VOTE:

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

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning