



DOCKET #: F1386

PROPOSED ZONING:
RS30

EXISTING ZONING:
RS20

PETITIONER:
Hubbard Realty
of Winston-Salem, Inc.

SCALE: 1" represents 600'

STAFF: Galloway

GMA: 3

ACRE(S): 19.47

MAP(S): 576862 and 582862



June 25, 2003

Lewis Hubbard
Hubbard Realty of Winston-Salem
2110 Cloverdale Avenue
Winston-Salem, NC 27103

RE: ZONING MAP AMENDMENT F-1386

Dear Mr. Hubbard:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners.

When the rezoning is scheduled for public hearing, you will be notified by Jane Cole, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, AICP
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office
Lee Riddle, 4996 Indiana Avenue, Winston-Salem, NC 27106
Lauren Azevedo, 120 Shadowridge Court, Lewisville, NC 27023
Mary Conroy, 1105 Wellesley Place Drive, Lewisville, NC 27023

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _____

AGENDA ITEM NUMBER: _____

SUBJECT:-

- A. Public Hearing on Zoning Map Amendment of Hubbard Realty of Winston-Salem, Inc. from RS-30 to RS-20: property is located at the western terminus of Grainland Drive (Zoning Docket F-1386).
- B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning Map.

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

After consideration, the Planning Board recommended approval of the rezoning petition.

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

County Manager

COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Hubbard Realty of Winston-Salem, Inc., Docket F-1386

AN ORDINANCE AMENDING
THE FORSYTH COUNTY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF THE
COUNTY OF FORSYTH,
NORTH CAROLINA

BE IT ORDAINED by the Board of County Commissioners of the County of Forsyth as follows:

Section 1. The Zoning Ordinance of the *Unified Development Ordinances* of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from RS-30 to RS-20 the zoning classification of the following described property:

Tax Block 4613, Tax Lot 71

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # F-1386
STAFF: Suzy Gallaway

Petitioner(s): Hubbard Realty of Winston-Salem, Inc.
Ownership: Same

REQUEST

From: RS-30
To: RS-20

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

NOTE: This is a general use zoning petition; therefore, ALL uses permitted in the above requested district should be considered.

Acreage: 19.47 acres

LOCATION:

Street: Western terminus of Grainland Drive and eastern terminus of Shadowridge Drive
Jurisdiction: Forsyth County (adjacent to the Lewisville town limits)

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is vacant.

Adjacent Uses:

- North- Vacant property, zoned RS-30
- East- Single Family homes, zoned RS-30
- South- Single Family subdivision (Wellesley Place), zoned RS-20
- West- Mill Creek and vacant property, zoned RS-30

GENERAL AREA

Character/Maintenance: Well-maintained single family homes.

Development Pace: Moderate

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: No impact determined with general use request.

Topography: There is an approximate change in elevation on the subject property of 70' (from an approximate elevation of 860' in the east down to an approximate elevation of 790' in the west).

Streams: Mill Creek serves as the western property line for the subject property.

Vegetation/habitat: The subject property is mostly vegetated.

Floodplains: There are regulated floodplain areas located on the subject property.

Environmental Resources Beyond The Site: Since the proposed rezoning is to a general use, impacts to environmental resources beyond the site can not be determined.

Water Supply Watershed: The subject property is located within the Yadkin River (WS-IV) water supply watershed.

Compliance with Watershed Protection Regulations: The proposal is for a general use rezoning; as a result, compliance with the water supply watershed regulations can not be made at this time. Inspections will be charged with ensuring compliance with the water supply watershed regulations.

TRANSPORTATION

Direct Access to Site: Shadowridge Drive; Grainland Drive

Street Classification: Shadowridge Drive - Local Road; Grainland Drive - Local Road

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day): No counts available for these roads.

HISTORY

Relevant Zoning Cases:

1. F-1240; RS-30 to RS-20; approved September 28, 1998; southeast side of Yadkinville Road southwest of Pine Trails Road; 0.47 acre; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): *Legacy* calls for increased residential densities in areas that have adequate streets, central wastewater collection and other public services.

Area Plan/Development Guide: The site is not within the boundaries of a development guide or an area plan.

ANALYSIS

The current request is to rezone 19.47 acres from RS-30 to RS-20. If approved, this would allow the property to be developed in two different manners as a subdivision. As a conventional subdivision it could be developed with lots of 20,000 square feet rather than the current 30,000 square foot requirement. Under RS-30 zoning, lots have a required minimum width of 100 feet, with RS-20 the required minimum width is 95 feet. If developed as a Planned Residential

Development lots could be developed with average densities equivalent to 20,000 square foot per lot, rather than 30,000 square foot per lot densities. A PRD in RS-20 requires 15% common open space, whereas a PRD in RS-30 requires 25% common open space.

The site is an area that has been approved for annexation by the Town of Lewisville, however the annexation will not be in effect until June 2004. As such, the request will move forward as a County case, to be decided by the Board of County Commissioners.

Much of the property to the south is zoned RS-20. RS-20 is not a drastic change from the existing RS-30 zoning. Staff feels this change in zoning would be compatible with the zoning in the area, and therefore recommends approval.

FINDINGS

1. The current request is to rezone 19.47 acres from RS-30 to RS-20.
2. The site is an area that has been approved for annexation by the Town of Lewisville, however the annexation will not be in effect until June 2004.
3. Zoning will be decided by the Board of County Commissioners.
4. Staff feels this change in zoning would be compatible with the zoning in the area.

STAFF RECOMMENDATION

Zoning: **APPROVAL.**

Suzy Gallaway presented the staff report.

PUBLIC HEARING

FOR:

Lee Riddle, 4096 Indiana Avenue, Winston-Salem, NC 27106

I'm available to answer any questions you may have.

AGAINST:

Lauren Azevedo, 120 Shadowridge Court, Lewisville, NC 27023

I'm asking for a continuance as the current homeowners of Wellesley Place have not had a chance to meet with Hubbard.

Mary Conroy, 1105 Wellesley Place Drive, Lewisville, NC 27023

I would like to reiterate what Lauren just said. We would like to have a continuance so we can better understand what the repercussions would be. Would the petitioners please make this information available to us? We'd like to continue to see that the buffers would remain.

WORK SESSION

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

1. Glenn Simmons: The concern seems to be that a PRD would happen here, but it is allowed under any residential zoning. It could be placed on this site now without further public hearings. The permitted density would be higher with the requested RS-20 zoning than with RS-30.
2. In response to a question from the Board, Lee Riddle stated that Wellesley place is a PRD. He also expressed his willingness to continue the case for a month if necessary.
3. The Board discussed whether to continue the case or ask the petitioner and neighbors to meet prior to the Commissioners meeting. The neighbors stated that they were okay with the idea of meeting before the Commissioners meeting.
4. The Planning Board asked that the petitioner and neighborhood meet prior to the Commissioners meeting.

MOTION: Philip Doyle moved approval of the zoning map amendment.

SECOND: John Bost

VOTE:

FOR: Bost, Clark, Doyle, Eickmeyer, Folan, Glenn, King, Lambe

AGAINST: None

EXCUSED: None

According to information furnished on May 7, 2003 by the Office of the Tax Assessor, the subject property was in the name of Hubbard Realty of Winston-Salem, Inc.

A. Paul Norby, AICP
Director of Planning