

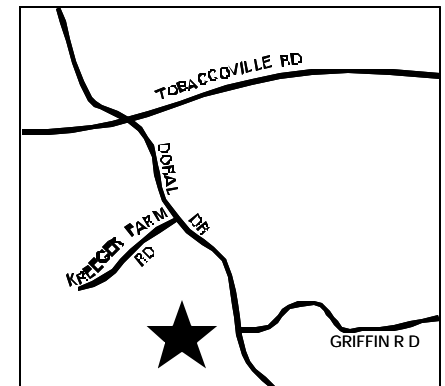
DOCKET #: F1370

PROPOSED ZONING:
RS30-S (PRD)

EXISTING ZONING:
AG and RS20

PETITIONER:
William E. Benbow, Wanda Benbow, John M. Anderson, and Mandy Anderson

Location Map:



SCALE: 1" represents 600'

STAFF: Roberts

GMA: 4

ACRE(S): 83.40

MAP(S): 594902, 600902



DRAFT ZONING STAFF REPORT

DOCKET # F-1370

STAFF: Gary Roberts

Petitioner(s): William E. Benbow, Wanda Benbow, John M. Anderson, and Mandy Anderson

Ownership: Same

REQUEST

From: AG Agricultural District and RS-20 Residential Single Family District

To: RS-30-S (PRD) Residential Single Family District

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

Acreage: 91.44 acres

LOCATION

Street: West side of Doral Drive across from Griffin Road.

Jurisdiction: County of Forsyth.

SITE PLAN

Proposed Use: 126 lot single family subdivision.

Density: 1.37 dwelling units per acre.

Bufferyard Requirements: 30 foot type II bufferyard.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: One single family residence.

Adjacent Uses:

- North - Undeveloped property zoned AG and a nonconforming business use.
- East - Doral Road and medium to large lot residential zoned RS-20 and AG.
- South - Undeveloped and large lot residential zoned AG.
- West - Undeveloped property zoned AG.

GENERAL AREA

Character/Maintenance: Semi rural area consisting of undeveloped land and well maintained low density residential land uses.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Considerable clearing and grading to accommodate house lots and streets shown on site plan.

Topography: There is considerable variation in topography on the subject property. While there are many intermittent changes in topography throughout the site, there is an overall change in approximate elevation of 124' [from an approximate elevation of 1004' in the north/northeast (along Doral Drive) to an approximate elevation of 880' along the southern property line (at Mill Creek No. 3)]. Mill Creek No. 3 serves as the main 'valley' with the elevation increasing both east and west. The highest point to the west is in the southwest corner of the site (980'). The vast majority of the site drains to Mill Creek No. 3.

Streams: Mill Creek No. 3 and many of its tributaries.

Vegetation/habitat: The subject property is extensively vegetated.

Floodplains: No FEMA regulated floodplains, although natural floodplains do exist in and around Mill Creek No. 3 and its tributaries.

Farmland Preservation Sites: Not applicable.

Environmental Resources Beyond The Site: No direct impacts.

With the continued removal of intermittent streams throughout Winston-Salem, Forsyth County and the other incorporated jurisdictions, there will be a cumulative decrease in water quality and an increase in stormwater runoff because of the loss of natural infiltration that assists in water absorption and filtering. The preservation of natural stream corridors, even intermittent in variety, is more effective than man-made, mechanical means of stormwater control/filtration. Perhaps the project layout could be altered to provide more open space corridors centered along the intermittent tributaries.

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

TRANSPORTATION

Direct Access to Site: Doral Drive and Griffin Road.

Street Classification: Doral Drive: Major Thoroughfare; Griffin Road: Minor Thoroughfare.

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

Doral Drive between Tobacoville Road and Griffin Road = 3,000 / 11,100

Griffin Road between Doral Drive and Shore Road = 710 / 11,100

Trip Generation/Existing Zoning: AG and RS-20

AG: 88.42 acres x 43,560 / 40,000 = 96 units x 9.57 (SFR Trip Rate) = 918 Trips per Day +

RS-20: 3.02 acres x 43,560 / 20,000 = 6 units x 9.57 (SFR Trip Rate) = 57 Trips per Day = 975

Total Trips per Day

Trip Generation/Proposed Zoning: RS-30-S (PRD)

126 units x 9.57 (SFR Trip Rate) = 1,205 Trips per Day

Connectivity of street network: Poor as proposed.

Sidewalks: None.

Traffic Calming: None proposed.

HISTORY

Relevant Zoning Cases:

1. F-1206; AG to RS-20; approved August 11, 1997; east side of Reid Road, southeast of Tobaccoville Road, 2,000 feet northwest of current site; 5.68 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Future Growth Area (GMA 4).

Relevant Comprehensive Plan Recommendation(s): The intent of the Future Growth Area is to identify land that will eventually become urban while discouraging premature development of this unserviced land. *Legacy* also encourages greater connectivity between residential streets and open space subdivisions in rural areas as a way to retain green space and rural character while also allowing significant residential development on a tract of land.

Area Plan/Development Guide: *Village of Tobaccoville Development Guidelines - 2020* (2000/2001)

Relevant Development Guide Recommendation(s): The *Village Development Toolkit* and the *Tobaccoville Land Use Plan* of the *Village of Tobaccoville Development Guidelines - 2020* recommends that the subject property be developed as open space residential utilizing either RS-30-S (PRD) or RS-20-S (PRD) zoning (page 27 and Map 4 - Land Use Plan). Page 15 of the *Village of Tobaccoville Development Guidelines - 2020* further states that all open space projects should provide environmental open space, scenic open space and internal open space. In addition, the guidelines call for a connected network of streets, sidewalks on one side of new streets and for the installation of street trees.

Other: *Land Sensitive Development Memorandum of Understanding* (July 6, 1999). Agreement signed by the Chairman of the Forsyth County Board of Commissioners, the President of the Winston-Salem Home Builders Association and the President of the Winston-Salem Regional Association of Realtors promoting "alternative ways of developing a site that best maintains the natural features of the site..." including protection of steep slopes and trees.

GREENWAY/RECREATION/OPEN SPACE REVIEW

Greenway/Trail Name: Mill Creek No. 3.

Easement Requested: 40 feet.

Side of Creek: Both sides.

Comments/Status of Trail: The Greenway plan does not designate this creek as a priority creek for a greenway trail in the short term. However, in the long term a trail along this creek can link the Muddy Creek Trail with Tobaccoville near its village park on Tobaccoville Road. The opportunity should be taken now to secure the greenway easement.

INCORPORATED AREA COMMENTS

Incorporated Jurisdiction: Village of Tobaccoville

Expressed Concern: See attached letter.

WINSTON-SALEM/FORSYTH COUNTY SCHOOLS

Winston-Salem/Forsyth County Schools have estimated this project, when completed, will add a total of 122 students to the system, as indicated by the following chart.

Project	Number Units	Schools	Projected Students from Project	2001-2002 Enrolled Students	2001-2002 Projected Students with Accumulated Totals since 4/24/01	School Capacity
Fieldmont Manor Single Family	126	Old Richmond ES	56	523	576	625
		Northwest MS	28	1069	1097	904
		North Forsyth HS	38	1597	1635	1098-1504

ANALYSIS

The subject request is to rezone 91.44 acres located on the west side of Doral Drive from RS-20 and AG to RS-30-S (PRD). The property is partially within the Village Limits of Tobaccoville and partially within the jurisdiction of Forsyth County. The site has access to public water but not sanitary sewer service. Currently the property is undeveloped and heavily wooded with Mill Creek No. 3 traversing the center in a north to south orientation.

The surrounding properties consist primarily of large undeveloped tracts zoned AG. The southern, western and northwestern borders abut 5 tracts which range from 23 to 43 acres each in size. The eastern edge includes ±546 feet of frontage along Doral Drive and adjoins single family residences zoned RS-20 and a nonconforming business to the north.

The site plan depicts the property being divided into 126 single family lots with a minimum lot size of 20,000 square feet. PRD's within the RS-30 district require a minimum open space component of 25%, which in this instance equates to 22.86 acres. The project's site planner is reworking the site design to meet the minimum requirements for open space. As originally submitted the plan showed very little street connectivity; however, the plan is being modified.

The property is located within the boundaries of the *Tobaccoville Land Use Plan*. In summary, the plan recommends a residential density of RS-30 or RS-20 within a special use, Planned Residential Development (PRD) context. The plan further states that all open space projects should provide

environmental open space, scenic open space and internal open space. In addition, the guidelines call for a connected network of streets, and installation of street trees.

While the subject petition is consistent with the overall density called for in the adopted plan, it falls short of adequately addressing the other equally important development objectives. The open space provided along Mill Creek No. 3 clearly satisfies the "environmental open space" component. The site planner is reviewing the possibility of leaving some scenic open space along Doral Drive.

The street system is disjointed containing an excessive number of unnecessary dead ends with little connectivity to adjacent properties. The Subdivision Regulations of the UDO, the *Tobaccoville Land Use Plan* and *Legacy* all promote interconnectivity. An interconnected network of streets allow efficient delivery of public services and precludes local streets from being either overused or underused. Staff has identified connections to adjacent properties which should be incorporated into any development of the subject property. The petitioners may propose some or all of these connections on their revised site plans. The streets in the westernmost portion of the site are proposed to be private. Planning staff strongly recommends the streets be public so they can be interconnected with future public streets in the area. The Village of Tobaccoville in the attached letter request that the streets be built to state standards.

Regarding sidewalks, the petitioners have been made aware of Tobaccovilles' desire for sidewalks on at least one side and street trees on both sides. While not shown on the site plan, it is staffs understanding that the applicant would instead prefer to build a trail within the common area along Mill Creek. The Village of Tobaccoville has stated its desire to accept the dedication of a public greenway easement of forty feet on either side of said creek for the construction of a potential greenway in the future which connects to upstream and downstream properties.

Due to the abovementioned concerns with the site plan staff is unable to support the request for rezoning as originally submitted.

FINDINGS

1. *Legacy* encourages greater connectivity between residential streets and open space subdivisions in rural areas as a way to retain green space and rural character.
2. *Village of Tobaccoville Development Guidelines - 2020* recommends the subject property be developed as open space residential utilizing either RS-30-S (PRD) or RS-20-S (PRD) zoning and that all open space projects should provide environmental open space, scenic open space and internal open space. In addition, the guidelines call for a connected network of streets, sidewalks on one side of new streets and for the installation of street trees.
3. *Land Sensitive Development Memorandum of Understanding (1999)* promotes "alternative ways of developing a site that best maintains the natural features of the site..." including protection of steep slopes and trees.

4. The subject request is consistent with Tobaccoville's desired RS-30 density, yet does not meet the adopted goals for scenic open space, street connectivity, sidewalks and street trees.

STAFF RECOMMENDATION

Zoning: **DENIAL**, unless a revised site plan is submitted which addresses staff's concerns.

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

C PRIOR TO THE ISSUANCE OF GRADING PERMITS

- a. Limits of grading along Mill Creek shall be flagged in the field.
- b. Developer shall obtain a DENR water quality permit.

C 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 street and public utilities.

C PRIOR TO THE SIGNING OF FINAL PLATS

- a. Developer shall install road improvements on Doral Drive to the specifications of the NCDOT. A driveway permit is required and negative access easements shall be provided along the frontage of Doral Drive.
- b. Developer shall install sidewalks at the back of the street right-of-way on at least one side of all streets.
- c. Developer shall install large variety street trees along both sides of all proposed streets spaced 50 feet apart.
- d. The developer shall dedicate a forty (40) foot greenway easement to the Village of Tobaccoville along both sides of Mill Creek No. 3. Easement location shall be shown on final plat.
- e. Developer shall establish negative access easements along all lots on Doral Drive which can be served internally.
- f. 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.
- g. Developer must build or bond public street to NCDOT public street construction standards.
- h. Developer shall obtain a driveway permit from the North Carolina Department of Transportation (NCDOT). NCDOT may require additional road improvements.
- i. Developer shall dedicate a forty (40) foot greenway easement to the Village of Tobaccoville along both sides of Mill Creek No. 3. Easement location shall be shown on final plan.

C OTHER REQUIREMENTS

- a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet.
- b. Existing vegetation within the common areas to be noted as to remain.