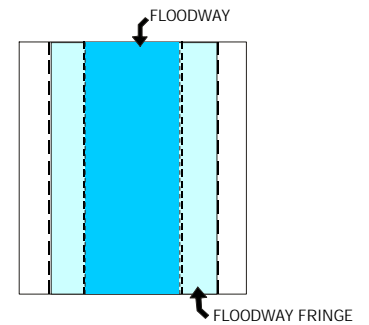


DOCKET #: F1334

PROPOSED ZONING:
RS15-S (PRD)

EXISTING ZONING:
AG

PETITIONER:
LandCraft Properties, Inc.



SCALE: 1" represents 600'

STAFF: Hughes

GMA: 4B

ACRE(S): 56

MAP(S): 660842



February 21, 2001

LandCraft Properties, Inc.
c/o William & Nancy Tucker
201 N. Tryon Street
Charlotte, NC 28202

RE: ZONING PETITION F-1334

Dear Mr. & Ms. Tucker:

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
Thomas Terrell, P. O. Box 21927, Greensboro, NC 27420
Scott Stover, 201 N. Tryon Street, #2650, Charlotte, NC 28202
Ken Hull, 4216 Yeaton Glen Circle, Winston-Salem, NC 27107
Deborah H. Craven, 4229 Yeaton Glen Circle, Winston-Salem, NC 27107

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _____ **AGENDA ITEM NUMBER:**

SUBJECT:-

Zoning map amendment of LandCraft Properties, Inc. for property owned by William York Tucker, Jr.

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning map amendment of LandCraft Properties, Inc. for property owned by William York Tucker, Jr.: from AG to RS-15-S (PRD): property is located on the south side of Glenn Hi Road east of Yeaton Glen Drive (Zoning Docket F-1334).

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

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

—

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of LandCraft Properties, Inc. for property owned by William York Tucker, Jr., Docket F-1334

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 AG to RS-15-S (Planned Residential Development) the zoning classification of the following described property:

Tax Block 5622, Tax Lot 13

Section 2. This Ordinance is adopted after approval of the site plan entitled Glenn Village Subdivision, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 20____ to LandCraft Properties, Inc. for property owned by William York Tucker, Jr.

Section 3. The Board of Commissioners 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 Glenn Village Subdivision. 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.

COUNTY, SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the Forsyth County
Board of Commissioners

The Forsyth County Board of Commissioners issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of LandCraft Properties, Inc. for property owned by William York Tucker, Jr. (Zoning Docket F-1334). 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 RS-15-S (Planned Residential Development), approved by the Forsyth County Board of Commissioners the ____ day of _____, 20 ____" and signed, provided the property is developed in accordance with requirements of the RS-15-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances* of the County Code, the Erosion Control Ordinance, and other applicable laws, and the following conditions be met:

- **PRIOR TO GRADING PERMITS**
 - a. Developer shall flag "limits of fill line" (halfway distance between floodway fringe and floodway) along Swaim Creek.
 - b. Developer shall cordon off 30' wide type II bufferyard along the entire area where lots within the development abut the west property line.

- **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 access easements and public utilities.

- **PRIOR TO THE SIGNING OF FINAL PLATS**
 - a. Negative access easements shall be recorded for all lots (including common areas) contiguous to Glenn Hi Road.
 - b. 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.
 - c. Developer must dedicate fifty (50) feet of right-of-way from the south side of the existing centerline of Glenn Hi Road to the North Carolina Department of Transportation.
 - d. Developer shall dedicate, and record on the final plat, a forty (40) foot wide greenway easement along the entire frontage of the property along the Swaim Creek floodplain.
 - e. Developer must build all public streets internal to the project to City of Winston-Salem Department of Public Works public street standards.
 - f. Developer shall install a minimum five (5) foot wide sidewalk to City of Winston-Salem standards along the entire frontage of the property along the south side of Glenn Hi Road.
 - g. Public water and sewer shall be installed in accordance with the City-County Utilities Commission.
 - h. Fire hydrants shall be installed in accordance with the Forsyth County Fire Department.
 - i. Developer shall install left and right turn lanes on Glenn Hi Road in accordance with North Carolina Department of Transportation specifications.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. A minimum type II bufferyard must be installed on each lot where lot sizes within the PRD are less than the minimum lot size permitted in the adjoining residential zoning district.
 - b. Developer volunteers to plant street trees 50' on center within the rights-of-way of all public streets within the development. Trees shall be a minimum of 2" in diameter measured 6" above ground level with a minimum height of eight feet.

- **OTHER REQUIREMENTS**
 - a. Developer may have one entrance sign at the entrance location on Glenn Hi Road. Said sign shall be a monument type with a maximum height of five (5) feet.

ZONING STAFF REPORT

DOCKET # F-1334
STAFF: Suzy Hughes

Petitioner(s): LandCraft Properties, Inc.
Ownership: William York Tucker, Jr.

REQUEST

From: AG Agricultural District
To: RS-15-S Residential Single Family District; minimum lot size 15,000 sf (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: 56.0 acres

LOCATION

Street: South side of Glenn Hi Road east of Yeaton Glen Drive.
Jurisdiction: Forsyth County.

SITE PLAN

Proposed Use: Planned Residential Development.
Density: 2.67 units per acre.
Bufferyard Requirements: Minimum 30' wide type II bufferyard is required adjacent to AG zoning.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: One existing home and associated outbuildings to be removed.

Adjacent Uses:

- North - Developed residential subdivisions on RS-9 zoned properties on north side of Glenn Hi Road.
- East - Residential properties zoned AG and RS-20 and Glenn Acres residential subdivision, zoned RS-20, Glenn High School and Union Cross Road located approximately one mile east.
- South - Undeveloped and sparsely developed rural residential properties zoned AG.
- West - Developed residential subdivision, Yeaton Glen, zoned RS-20.

GENERAL AREA

Character/Maintenance: Well-maintained single family homes.
Development Pace: Moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Existing structures to be removed. Some undeveloped areas to remain as open space under the PRD development concept.

Topography: Site slopes gently downward toward Swaim Creek, a tributary to South Fork Creek.

Streams: Swaim Creek forms southern boundary of subject site.

Vegetation/habitat: Mostly open pasture interspersed with wooded areas.

Constraints: No major constraints.

Floodplains: Part of this property exists within floodway and floodway fringe areas. Residential construction in floodway fringe areas must have the lowest flood, including basement, elevated no lower than 1' above base flood elevation.

TRANSPORTATION

Direct Access to Site: Glenn Hi Road.

Street Classification: Minor thoroughfare.

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

Glenn Hi Road from High Point Road to Oak Grove Road = 2,100/8,500

Trip Generation/Existing Zoning: AG

$56 \times 43,560/40,000 = 60 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 574 \text{ trips}$

Trip Generation/Proposed Zoning: RS15-S (PRD)

$56 \times 43,560/15,000 = 162 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 1,550 \text{ trips}$

Planned Road Improvements: Northern Beltway proposed to the west of the site. TIP #2579A on new location from Business 40 to US 311. Right-of-way and construction scheduled for beyond 2008.

Bike Route # 24 along High Point Road.

HISTORY

Relevant Zoning Cases:

1. F-1318; AG to RS-15-S (Planned Residential Development); withdrawn September 11, 2000; south side of Glenn Hi Road across from Oak Grove Church Road; 99.7 acres; Planning Board and staff recommended approval. NOTE: Current site consists of the western half of this tract.
2. F-1294; AG to RS-20; approved May 8, 2000; southeast side of Glenn Hi Road; 1.26 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 4B: Long Range Growth.

Relevant Comprehensive Plan Recommendation(s): The plan recommends the orderly provision of infrastructure (sewer, water, improved roads) to serve increased densities in the long-range growth area.

Area Plan/Development Guide: *US 311 Area Plan* (1984)

Relevant Development Guide Recommendation(s): This property lies within the Union Cross and Hastings Roads Subarea in the *US 311 Area Plan* and adjacent to an urban service district boundary on Glenn High Road. The land use plan on page 26 identifies this area for agricultural uses. However, this plan is 16 years old and has had some deviations over the years.

ANALYSIS

The current request proposes to rezone approximately fifty-six acres of land from AG to RS-15-S PRD. The project consists of 151 lots at a density of 2.67 units per acre. Under UDO provisions for Planned Residential Development (PRD), the developer proposes to cluster home sites on substantially smaller lots than the standard 15,000 square feet for conventional RS-15 zoned property in exchange for 14.38 acres (25.7%) of land reserved for common open space.

Although most of the open space is located along Swaim Creek on the southern edge of the property, there is also a substantial area of open space located internal to the site. In this context, all lots proposed in the PRD have direct access to a large well connected network of pedestrian trails and sidewalks leading to open space. The developer has agreed to provide a forty foot wide greenway easement along Swaim Creek for the future extension of a public greenway system. A smaller strip of common open space is also located at the project entrance along Glenn Hi Road.

Generally, this proposal is consistent with other developments along Glenn Hi Road which have developed at higher densities with the extension of sewer service up Swaim Creek. The proposed development would utilize this sewer as well. Staff notes that the area contiguous to the property and north of Glenn Hi Road was mapped to RS-9 zoning with the adoption of the UDO in 1995 while most large, undeveloped properties south of Glenn Hi Road were mapped to AG acknowledging the general lack of sewer service in the area at that time.

As one of several recent requests to rezone AG land to more intensive residential zoning classifications, staff cites several key factors which influence our zoning recommendations. AG land was originally designated with the adoption of the UDO as a way to generally acknowledge large tracts of arable land which either participated in various farmland tax benefits, or lands which were otherwise proximate to such properties. Two primary objectives of the AG designation were to discourage the premature development of viable farmland, and to serve as a notice to the purchasers of residential properties in such areas that farming activities, and associated nuisances, may be present. However, as conditions in this area of the county have

changed with the extension of sewer service, roadway improvements, annexations, and other land use factors, staff is mindful of the need to incorporate such findings into our zoning analyses and zoning recommendations. In this context staff continues to support the AG zoning classification, but as circumstances in this location have changed, the conversion of AG land to the proposed RS-15-S (PRD) is appropriate.

The petitioner has agreed to several key conditions to warrant staff support of the project. Specifically, east/west connection with the adjacent subdivisions is essential. These include: appropriately placed street stub connections to the east and west; a well integrated pedestrian sidewalk and trail system; and well located common open space areas.

Staff is supportive of the proposed land plan and generally believes that the project achieves the objectives of the Planned Residential Development alternative to conventional residentially subdivided properties.

FINDINGS

1. The property consists of approximately fifty-six acres of land proposed to be developed at RS-15 densities under the provisions of the PRD option.
2. Lots are clustered on substantially smaller lots than conventional RS-15 in exchange for 14.38 acres (25.6% of total acreage) of well designed common open space.
3. The property incorporates pedestrian sidewalks and trails which link the project both internally and to a proposed greenway along Swaim Creek.
5. Staff believes that good east-west public street connections as shown on the site plan with adjacent subdivisions are essential to our recommendation, and are present in this plan.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

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

- **PRIOR TO GRADING PERMITS**
 - a. Developer shall flag "limits of fill line" (halfway distance between floodway fringe and floodway) along Swaim Creek.
- **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 access easements and public utilities.

- **PRIOR TO THE SIGNING OF FINAL PLATS**
 - a. Negative access easements shall be recorded for all lots (including common areas) contiguous to Glenn Hi Road.
 - b. 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.
 - c. Developer must dedicate fifty (50) feet of right-of-way from the south side of the existing centerline of Glenn Hi Road to the North Carolina Department of Transportation.
 - d. Developer shall dedicate, and record on the final plat, a forty (40) foot wide greenway easement along the entire frontage of the property along the Swaim Creek floodplain.
 - e. Developer must build all public streets internal to the project to City of Winston-Salem Department of Public Works public street standards.
 - f. Developer shall install a minimum five (5) foot wide sidewalk to City of Winston-Salem standards along the entire frontage of the property along the south side of Glenn Hi Road.
 - g. Public water and sewer shall be installed in accordance with the City-County Utilities Commission.
 - h. Fire hydrants shall be installed in accordance with the Forsyth County Fire Department.
 - i. Developer shall install left and right turn lanes on Glenn Hi Road in accordance with North Carolina Department of Transportation specifications.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. A minimum type II bufferyard must be installed on each lot where lot sizes within the PRD are less than the minimum lot size permitted in the adjoining residential zoning district.

- **OTHER REQUIREMENTS**
 - a. Developer may have one entrance sign at the entrance location on Glenn Hi Road. Said sign shall be a monument type with a maximum height of five (5) feet.

[For information purposes only: The draft Legacy plan indicates that the petitioner's site is in the future growth area on the growth management plan. This is an area where additional development should not be encouraged until lands within the municipal services area are more fully developed. Adequate public facilities like sewer, water and improved roads should be in place in the future growth when more intense development occurs there.]

Glenn Simmons presented the staff report.

PUBLIC HEARING

FOR:

Tom Terrell, P. O. Box 21927, Greensboro, NC 27420

Represent LandCraft Properties, Inc.

Glenn Hi Road is typical of roads in this county which were once rural but have become more residential as sewer has been extended.

This design incorporates several features of new urbanism.

There is connectivity of the roads.

There is public open space.

The overall effect is the creation of a community instead of a cookie-cutter subdivision.

We think this will be a wonderful model for other subdivisions in Forsyth County.

This road is underutilized as determined by our recent traffic studies.

Scott Stover, 201 N. Tryon Street, #2650, Charlotte, NC 28202

Here for questions.

AGAINST:

Ken Hull, 4216 Yeaton Glen Circle, Winston-Salem, NC 27107

I'm not really against a development going in next to Yeaton Glen, but I just wanted to encourage the Board to make sure what goes in there continues the character of the neighborhood.

WORK SESSION

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

1. Trees will be installed at 50 feet on center.
2. Sidewalk is pulled back from the curb to allow room for plantings. Recommend the sidewalk be put at the back of the right-of-way. Petitioner agrees with this recommendation.

MOTION: Kem Schroeder moved approval of the zoning map amendment.

SECOND: James Rousseau

VOTE:

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

AGAINST: None

EXCUSED: None

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

SECOND: James Rousseau

VOTE:

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

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of William York Tucker, Jr. as of December 29, 2000.

A. Paul Norby, AICP
Director of Planning