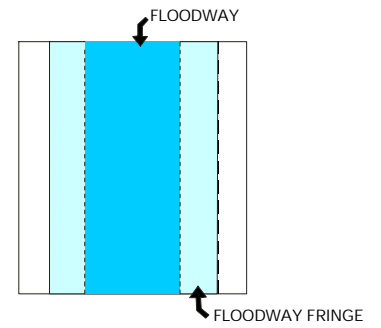


DOCKET #: F1309

PROPOSED ZONING:
MUS (PRD)

EXISTING ZONING:
RM12, AG, and RS20

PETITIONER:
Isenhour & Hubbard Inc.
for property owned by others



SCALE: 1" represents 1200'

STAFF: G. SIMMONS

GMA: 4B

ACRE(S): 342.48

MAP(S): 600890, 600894,
606890, 606894

June 14, 2000

Isenhour and Hubbard, Inc.
c/o Todd Isenhour
3411 Healy Drive, St. A
Winston-Salem, NC 27103

RE: ZONING MAP AMENDMENT F-1309

Dear Mr. Isenhour:

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
William Piatt, 1415 Turfwood Drive, Pfafftown, NC 27040
Deborah Stoltz Thompson, P. O. Box 222, 5555 Main Street, Bethania, 27010
Robert C. Adams, P. O. Box 152, 5544 Main Street, Bethania, NC 27010
Henry F. Bowman, P. O. Box 331, 5518 Main Street, Bethania, NC 27010
James W. McGrath, 2625 Mizpah Church Road, Rural Hall, NC 27045
Boyce Shore, 3650 Rollinghill Drive, Tobaccoville, NC 27050
Michael Villano, 1625 Turfwood Drive, Pfafftown, NC 27040
James R. Lippart, 1647 Turfwood Drive, Pfafftown, NC 27040
Seth Brown, P. O. Box 309, Bethania, NC 27010
Sharon V. Snyder, 1827 Riverdale Drive, Pfafftown, NC 27040
Robert G. Joyce, 1929 Riverdale Drive, Pfafftown, NC 27040
Myron Marion, P. O. Box 2361, King, NC 27021
Michael D. Throckmorton, 1825 Tee Time Trail, Pfafftown, NC 27040
Harold and Sue Fowler, 1823 Riverdale Road, Pfafftown, NC 27040
Shirley Ice, 1529 Shore Road, Rural Hall, NC 27045

FORSYTH COUNTY
BOARD OF COMMISSIONERS

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

SUBJECT:-

Zoning map amendment of Isenhour & Hubbard Inc. for property owned by William Henry Piatt; Nanette Piatt Long; Margaret G. Piatt; and Franklin D. Long & Carole Long

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning map amendment of Isenhour & Hubbard Inc. for property owned by William Henry Piatt; Nanette Piatt Long; Margaret G. Piatt; and Franklin D. Long & Carole Long for two separate tracts of land as follows:

Tract 1: Rezoning from RM-12, AG, and RS-20 to MU-S (Planned Residential Development; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; and Residential Building, Multifamily - TWO PHASE): property is located on the south side of Mizpah Church Road northwest of Bethania-Rural Hall Road (Zoning Docket F-1309).

Tract 2: Rezoning from RM-12, AG, and RS-20 to MU-S (Planned Residential Development; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; and Residential Building, Multifamily - TWO PHASE): property is located on the north side of Turfwood Drive west of Bethania-Rural Hall Road and at the end of Eagle Crest Drive (Zoning Docket F-1309).

After consideration, the Planning Board recommended approval of the rezoning petition and confirmed that the site plan meets all code requirements.

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

—

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Isenhour & Hubbard Inc. for property owned by William Henry Piatt; Nanette Piatt Long; Margaret G. Piatt; and Franklin D. Long & Carole Long, Docket F-1309

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 RM-12, AG, and RS-20 to MU-S (Planned Residential Development; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; and Residential Building, Multifamily - TWO PHASE) the zoning classification of the following described property:

TRACT 1

Description of a 177.257 acre tract lying south of the proposed NCDOT Winston-Salem western loop: Bethania Township, Forsyth County, NC.

BEGINNING at a point in the east line of property conveyed to Peggy Wall Yale in Deed Book 1949 Page 3905, said point being located N°02 24' 20" East 98.01' from a point the southeast corner of said Peggy Wall Yale tract, said point also being located in the southern right-of-way line of NCDOT project number 6.62800IT(R2247 Winston-Salem western loop), said point also being the northwest corner of the within described tract; and running thence with the southern right-of-way of said NCDOT project the following 13 courses and distances: N89° 27' 19" East 178.56' to a point, N75° 32' 20" East 214.10' to a point, S83° 33' 00" East 699.90' to a point, S72° 47' 19" East 508.94' to a point, S85° 22' 02" East 597.53' to a point, N76° 28' 27" East 211.50' to a point, S80° 46' 33" East 1370.13' to a point, S82° 30' 12" East 90.68' to a point,

S82° 31' 19" East 133.39' to a point, S80° 24' 40" East 1102.78' to a point, S87° 28' 29" East 374.77' to a point, S89° 22' 33" East 341.90' to a point and S83° 38' 38" East 1540.20' to a point in the south line of said NCDOT project, said point also being located in the west line of property conveyed to Homer G. Moore, Jr. in Deed Book 1191 Page 1248; and running thence with his west line and falling in line with property conveyed to Derik S. Barker in Deed Book 2037 Page 1266, S02° 46' 05" West 811.86' to a point a corner with said Derik S. Barker, said point also being the northwest corner of property conveyed to Paul R. Greer in Deed Book 1547 Page 21, said point also being a corner of property conveyed to Northwest Estates, Inc. in Deed Book 872 page 178; and running thence with their line N85° 34' 11" West 263.31' and crossing a 60 foot unnamed street to a point the northeast corner of lot 2 as shown on Map of Wedgewood Section Two as recorded in plat book 22 page 38; and running thence with the east property line of said lot 2 and the west line of said unnamed street S02° 45' 49" West 141.92' to the P.C. of a curve to the right thence a chord of S58° 20' 04" West 34.68' to the P.T. of said curve in the north right-of-way line of Turfwood Drive; thence N80° 04' 11" West 59.85' to the P.T. of the last mentioned curve; thence with the north right-of-way line of said Turfwood Drive N87° 38' 11" West 418.00' to a point the southeast corner of lot 6 on said Section Two of Wedgewood; thence with the east line of said lot 6 N02° 21' 49" East 171.74' to a point the northeast corner of said lot 6; and running thence with the north lines of lots 6 thru 15 inclusive N85° 34' 11" West 1204.68' to a point the northwest corner of lot 15; thence with the west line of lot 15, S07° 03' 34" West 161.54' to a point the southwest corner of said lot 15 in the north right-of-way line of said Turfwood Drive; thence with the north right-of-way line of said Turfwood Drive N82° 47' 11" West 231.00' to a point; thence S33° 37' 10" West 63.98' to a point in the north line of lot 41 on said Section Two of Wedgewood; thence with the north line of said lot 41 N80° 11' 46" West 146.24' to a point another corner with said lot 41; thence with the west line of said lot 41, S06° 50' 50" West 91.99' to a point another corner with lot 41 also a corner with lot 42; thence with north line of said lot 42 and falling in line with the north line of lot 43 S87° 30' 36" West 198.54' to a point another corner with said lot 43; thence S13° 27' 43" West 90.02' to a point another corner with said lot 43 in the line of lot 44; thence with the line of said lot 44 N44° 08' 36" West 117.77' to a point the northern most corner of said lot 44; thence S41° 26' 42" West 100.88' to a point another corner with said lot 44 and also the northern most corner of lot 45; thence with the west line of said lot 45 S03° 44' 52" West 173.61' to a point in the west line of said lot 45; thence N86° 14' 01" West 100.44' to a point the northeast corner of lot 33 as shown on Map of Wedgewood Section 3 as recorded in plat book 22 page 78; thence N03° 13' 13" East 125.24' to a point the northeast corner of a tract of land conveyed to Michael D. Throckmorton in Deed Book 1499 Page 1903; thence with his north line N85° 46' 18" West 1170.73' to a point the northwest corner of said Michael D. Throckmorton tract, said point also being the northeast corner of property conveyed to Robert G. Joyce in Deed Book 1172 Page 1297, said point also being a corner with property conveyed to John M. Turner in Deed Book 1754 Page 2961; and running thence with the north line of said John M. Turner N86° 28' 23" West 549.78' to a point the eastern most corner of lot 18 as shown on Map of Wedgewood Manor as recorded in plat book 26 page 185; thence with the east line of said lot 18 and the east lines of lots 19 thru 24 inclusive of said Wedgewood Manor N03° 51' 09" East 762.65' to a point the northeast corner of lot 24; thence with the north line of said lot 24 and crossing Eagle Crest Drive N87° 00' 57" West 265.00' to a point; thence with the west right-of-way line of Eagle Crest Drive S01° 44' 17" East 101.25' to a point in said west right-of-way line of Eagle Crest Drive, a corner to

property conveyed to Holly Hills Golf, Inc. in Deed Book 1664 Page 195; and running thence the following 42 courses and distances with the property lines of said Holly Hills Golf, Inc.; N60° 02' 36" West 83.41' to a point, S65° 18' 38" West 464.72' to a point, S56° 58' 41" West 271.81' to a point, S45° 45' 22" West 246.47' to a point, S57° 18' 53" West 214.98' to a point, S02° 48' 52" West 213.58' to a point, S50° 00' 18" West 212.90' to a point, S25° 54' 35" West 148.32' to a point, S06° 49' 26" West 108.66' to a point, S52° 19' 20" West 55.38' to a point, S14° 49' 52" West 64.68' to a point, S34° 03' 39" West 100.30' to a point, N21° 07' 28" West 248.30' to a point, N38° 11' 11" West 318.18' to a point, N27° 21' 12" West 78.49' to a point, N01° 39' 38" West 61.31' to a point, N26° 09' 09" West 92.81' to a point, N02° 44' 45" West 69.33' to a point, N18° 09' 27" East 85.59' to a point, N23° 32' 25" East 200.38' to a point, N03° 53' 35" West 149.27' to a point, N31° 25' 16" West 121.38' to a point, S83° 53' 40" West 115.45' to a point, N66° 41' 18" West 111.83' to a point, N72° 41' 28" East 128.58' to a point, N56° 42' 22" East 118.06' to a point, N36° 37' 21" East 171.89' to a point, N48° 45' 21" East 99.18' to a point, N30° 19' 03" East 112.72' to a point, N13° 16' 10" East 377.77' to a point, S55° 55' 09" East 304.00' to a point, S84° 06' 04" East 360.13' to a point, S71° 44' 16" East 66.34' to a point, N81° 40' 43" East 60.11' to a point, N50° 51' 33" East 70.13' to a point, N33° 39' 05" West 136.52' to a point, S78° 58' 54" West 200.71' to a point, N78° 12' 58" West 224.26' to a point, N55° 39' 19" West 145.30' to a point, N49° 17' 20" West 183.16' to a point, S61° 29' 48" West 98.30' to a point and N87° 56' 26" West 563.62' and crossing muddy creek and falling in with the north line of property conveyed to Ray W. Myers in Deed Book 946 Page 468 to a point a corner with said Ray W. Myers, also a corner to a lot conveyed to Ray W. Myers in Deed Book 1782 Page 991; thence with his line N05° 03' 34" East 82.50' to a point another corner with said Ray W. Myers; thence with said Ray W. Myers north line and falling in with the north line of property conveyed to Franklin B. Willard in Deed Book 1621 Page 4300 N87° 56' 26" West 370.00' to a point the southeast corner of said Peggy Wall Yale tract of land; thence with east line of said Peggy Wall Yale N02° 24' 20" East 98.01' to a point in the south line of said NCDOT right of way the point and place of BEGINNING.

The above described tract of land contains 179.036 acres more or less, however there is to be excepted from the above acreage a 1.779 acre tract conveyed to Holly Hills Golf, Inc. in Deed Book 1664 Page 195.

Please note the description of the above excepted tract of land is fully described on page 3 of 3 of this document.

EXCEPTION

Description of 1.779 acre tract conveyed to Holly Hills Golf, Inc. in Deed Book 1664 Page 195.

BEGINNING at a point a corner to Holly Hills Golf, Inc. as described in Deed Book 1664 Page 195, said point being known as the same beginning point as set out on the description of the 179.036 acre tract (bearing and distance being shown as N50° 51' 33" East 70.13') thence the following three tie lines into the beginning point of this deed: S67° 29' 05" East 40.52', S11° 59' 55" West 74.25' and S15° 24' 55" West 214.90' to a point which is actually the

beginning corner of this tract; thence S18° 38' 05" East 103.05' to a point, S51° 17' 55" West 454.23' to a point, S66° 26' 55" West 182.00' to a point, N39° 08' 05" West 108.97' to a point, N30° 59' 55" East 91.25' to a point, N73° 48' 55" East 203.42' to a point and N53° 16' 13" East 392.82' to the point and place of BEGINNING and containing 1.779 acres more or less. This tract known as tax lot 603 of tax block 4975.

TRACT 2

Description of a 165.225 acre tract: Lying North of the proposed NCDOT Winston-Salem western loop: Bethania Township, Forsyth County, NC.

BEGINNING at a point in the southern right-of-way line of Mizpah Church Road, said point being the northeast corner of the within described tract of land. Said point also being the northwest corner of lot 1 on map of J.C. Vestal Property as recorded in plat book 17 page 201; and running thence with the west line of said lot 1 and lot 24 S04° 03' 06" West 450.92' to a point the southwest corner of said lot 24; thence S03° 55' 46" West 259.68' to a point the southwest corner of lot 25 on said J.C. Vestal Property, said point also being the northwest corner of lot 36 on Map of Creekview Section 2 Revised as recorded in plat book 25 page 49; thence with the west line of said lot 36 S04° 09' 20" West 399.03' to a point the southwest corner of said lot 36; thence S04° 09' 20" West and falling in line with the west line of lot 35 303.23' to a point in the west line of said lot 35, said point also being in the northern right-of-way line of NCDOT project number 6.62800IT(R2247 Winston-Salem western loop) and running thence with the northern right-of-way of said NCDOT project the following 10 courses and distances as shown on said NCDOT project plans: N84° 24' 15" West 1520.38' to a point, N77° 19' 15" West 746.79' to a point, N80° 10' 59" West 1042.32' to a point, N79° 02' 44" West 193.47' to a point, N78° 59' 00" West 30.54' to a point, N80° 51' 28" West 1461.16' to a point, N83° 06' 28" West 354.44' to a point, N83° 32' 43" West 1583.89' to a point, N58° 36' 36" West 211.99' to a point and S86° 12' 32" West 229.01' to a point in the east line of property conveyed to Peggy Wall Yale in Deed Book 1949 Page 3905; thence with the east line of said Peggy Wall Yale N02° 24' 20" East 178.65' to a point the northeast corner of said Peggy Wall Yale in the south line of property conveyed to K.W. Saunders in Deed Book 1882 Page 185; thence with the south line of said K.W. Saunders and following in line with the southern line of Kevin W. Speas S87° 09' 11" East 2212.13' to a point the southeast corner of said Kevin W. Speas; thence with the east line of said Kevin W. Speas N05° 35' 03" East 740.02' to a point another corner of said Kevin W. Speas, said point also being the southwest corner of property conveyed to Larry D. Weaver in Deed Book 1041 Page 768; thence with the south line of said Larry D. Weaver S86° 42' 35" East 923.88' to a point the southeast corner of said Larry D. Weaver said point also being the southwest corner of another tract of land conveyed to Larry D. Weaver in Deed Book 938 Page 314; thence S86° 18' 15" East 594.72' to a point; thence continuing with the south line of said Larry D. Weaver and falling in line with the south line of property conveyed to Clyde H. Dahmer S85° 51' 50" East 553.26' to a point; thence S85° 22' 48" East 514.60' to a another point in the south line of said Clyde H. Dahmer; thence S85° 18' 32" East 596.45' to a point located near the southern right-of-way line of Mizpah Church Road; and running thence within the right-of-way of said Mizpah Church Road S85° 39' 27" East 1076.47' to a point located

within the northern right-of-way of said Mizpah Church Road; thence S03° 28' 04" West and falling in line with the west line of property conveyed to Betty Getz as described in Deed Book 1114 Page 1426, 716.84' to a point the southwest corner of said Betty Getz; thence S81° 13' 18" East 418.72' and falling in line with the southern line of property conveyed to Hoover G. Speas as described in Deed Book 735 Page 14 to a point the southeast corner of said Hoover G. Speas; thence with the east line of said Hoover G. Speas and falling in line with another tract of land conveyed to said Hoover G. Speas as described in Deed Book 667 Page 310, N03° 59' 09" East 696.42' to a point the northeast corner of said Hoover G. Speas, said point being located within the southern right-of-way of said Mizpah Church Road; thence S77° 49' 18" East 420.31' to the point and place of BEGINNING.

Containing 165.225 acres more or less. For chain of title see Deed Book 625 Page 229. Also see Forsyth County tax block 4975.

The above description was taken from deeds of record, tax map information and information furnished to me regarding the said NCDOT project.

Section 2. This Ordinance is adopted after approval of the site plan entitled Long Creek Village, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 19____ to Isenhour & Hubbard Inc. for property owned by William Henry Piatt; Nanette Piatt Long; Margaret G. Piatt; and Franklin D. Long & Carole Long.

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 Long Creek Village. 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 Isenhour & Hubbard Inc. for property owned by William Henry Piatt; Nanette Piatt Long; Margaret G. Piatt; and Franklin D. Long & Carole Long (Zoning Docket F-1309). 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 MU-S (Planned Residential Development; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; and Residential Building, Multifamily - TWO PHASE), approved by the Forsyth County Board of Commissioners the ____ day of _____, 19 ____" and signed, provided the property is developed in accordance with requirements of the MU-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 THE ISSUANCE OF GRADING PERMITS**
 - a. The developer shall permit a qualified archaeologist to conduct a cursory archaeological investigation of documented archaeological site # 31FS218 and surrounding areas. The petitioner shall not be responsible for the cost of said investigation. The scope of on-site field work shall consist of limited sampling that would not exceed one week in duration. Any archaeological resources recovered shall become the property of an educational institution for research purposes.

- **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 contiguous to Turfwood Drive. Eagle Crest Drive will remain closed to development within the Long Creek Village.
 - b. All documents including covenants, restrictions, and homeowners association agreements shall be recorded in the office of the Register of Deeds.
 - c. All streets shall be constructed with a minimum of eight (8) inches of stone and two (2) inches of bituminous pavement or other combination equivalent to the materials standards of the Public Works Department of the City of Winston-Salem for public street construction. A Professional Engineer (PE) shall verify in writing the construction materials of the streets.
 - d. The developer or the Long Creek Village Homeowners Association shall be responsible for the maintenance and upkeep of the grounds within the traffic circle.

- **PRIOR TO OCCUPANCY PERMITS**
 - a. Public water and sewer shall be installed in accordance with the City-County Utilities Commission.
 - b. Fire hydrants shall be installed in accordance with the Forsyth County Fire Department.
 - c. Developer shall complete all roadway improvements as required and agreed to between the developer and the North Carolina Department of Transportation and the Winston-Salem Department of Transportation.
 - d. Developer shall install a traffic circle to North Carolina Department of Transportation standards at the main project entrance off Turfwood Drive. Said traffic circle shall be substantially in accordance with the traffic circle design as submitted and agreed to by the developer.
 - e. Developer shall design and construct signage for both Long Creek Village and Wedgewood at the traffic circle, to meet NC DOT requirements, and will design and install appropriate signage for both neighborhoods at the Turfwood/Bethania-Rural Hall Road intersection.
 - f. Developer shall install a left turn lane or approved alternative on Turfwood Drive at the intersection of Bethania-Rural Hall Road and construct a southbound right turn lane on Bethania-Rural Hall Road at Turfwood Drive.
 - g. Developer shall resurface Turfwood Drive between the developments's main entrance and Bethania-Rural Hall Road to provide a minimum of one and one-half inch wearing surface. Developer shall also widen Turfwood Drive, where necessary, to a minimum 22 feet wide from edge to edge.

- **OTHER REQUIREMENTS**

- a. In addition to sign(s) located at the main project entrance off Turfwood Drive, the developer may have one additional sign at the secondary entrance to Turfwood Drive not to exceed a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.
- b. Developer shall install a traffic signal at the intersection of Turfwood Drive and Bethania-Rural Hall Road if, and when, warranted according to NCDOT.
- c. This is TWO PHASE Special Use District zoning whereby subsequent phases of development will be subject to conditions cited above as well as any additional site plan conditions as warranted in new phases of development.
- d. As a condition for future phases of development, the developer must meet all requirements of the North Carolina Department of Transportation and the Winston-Salem Department of Transportation.

ZONING STAFF REPORT

DOCKET # F-1309

STAFF: Glenn Simmons

Petitioner(s): Isenhour and Hubbard, Inc.

Ownership: William Henry Piatt; Nanette Piatt Long; Margaret G. Piatt; and Franklin D. Long & Carole Long

CONTINUANCE HISTORY

On May 11, 2000, the petitioner agreed to the Planning Board's request to continue this case to June 8, 2000, to allow further discussions between the petitioner other interested parties. Issues centered primarily on anticipated traffic impacts to Bethania and the Wedgewood community. As of the time of this writing, staff understands that the developer has agreed to construct a landscaped traffic circle at the main project entrance onto Turfwood Drive which will be designed as a traffic calming device. Please see attached letter from the Wedgewood community.

Staff understands that the petitioner has also met with Bethania Town officials, and that some agreements have been made which further promotes traffic movements away from Bethania and toward US-52. Staff is awaiting confirmation from the NC DOT regarding the acceptability of this agreement. Staff has strongly recommended to the petitioner that his traffic consultant be available to address traffic issues at the June 8 meeting.

REQUEST

From: RM-12 Residential Multifamily District; maximum density 12 units/acre; RS-20 Residential Single Family District; minimum lot size 20,000 sf; and AG Agricultural District

To: MU-S Mixed Use District - Special District (Planned Residential Development; Residential Building, Single Family; Residential Building, Duplex; Residential Building - Twin Home; and Residential Building, Multifamily - TWO PHASE)

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

Acreage: Tract I 177.257 acres
Tract II 165.225 acres
Total 342.482 acres

LOCATION

Street: Northwest quadrant of the intersection of Turfwood Drive and Bethania-Rural Hall Road and south of Mizpah Church Road.

Jurisdiction: Forsyth County.

SITE PLAN

Proposed Use: Mixture of residential townhomes, duplexes, multifamily, and single family homes in a Planned Residential Development.

Density: Tract I 553 units or 3.12 units per acre
Tract II 640 units or 3.87 units per acre
Total 1,193 units or 3.48 units per acre

Parking: Required: Requirements vary according to housing type
Tract I site plan indicates adequate parking based on UDO standards.
Tract II (Second Phase) will be reviewed under the Final Development Plan.

Bufferyard Requirements: The MU-S district requires a minimum 50-foot wide streetyard adjacent to all public rights-of-way. Peripheral bufferyards shall be in accordance with UDO Section 3-5. Otherwise bufferyards are not required internal to the MU-S development. Internal compatibility between uses is considered under the second phase of site plan review.

Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Multiple structures to be removed.

Adjacent Uses:

- North - Vacant and sparsely developed, rural residential properties, zoned AG, RS-20, and RS-9.
- East - Residential subdivision zoned RS-20 and vacant and sparsely developed rural residential properties. The US 52/NC 65 (Bethania-Rural Hall Road) interchange is located approximately one mile from site.
- South - Wedgewood subdivision and golf course, zoned RS-20.
- West - Vacant and sparsely developed RS-20 and vacant, rural residential properties zoned AG and RS-20.

GENERAL AREA

Character/Maintenance: Well maintained residential subdivisions and sparsely developed rural residential development characterizes the area.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Existing undeveloped areas will be substantially redeveloped under the current proposal.

Topography: The large 342-acre site consists of large land units which are divided by moderate to steeply sloping hillsides and smaller intermittent streams.

Streams: Muddy Creek forms the western boundary of this large tract and a number of smaller streams drain the petitioner's site to Muddy Creek.

Vegetation/habitat: Largely wooded with some cleared areas.
Constraints: The property is bisected by the proposed Northern Beltway.
Floodplains: Floodplain areas are located on portions of the site.

TRANSPORTATION

Direct and Areawide Access to Site: Turfwood Drive, Bethania-Rural Hall Road, Main Street in Bethania, and Mizpah Church Road.

Street Classification: Turfwood Drive - collector street; Bethania-Rural Hall Road - major thoroughfare; Main Street in Bethania - major thoroughfare; and Mizpah Church Road - minor thoroughfare.

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

Turfwood Drive - northwest of Bethania-Rural Hall Road - 1,700/nc

Bethania-Rural Hall Road - Walker Road to Murray Road - 4,600/12,500

Main Street in Bethania - Bethania-Rural Hall Road to High Cliffs Road - 3,700/9,500

Mizpah Church Road - Bethania-Rural Hall Road to Doral Drive - 1,500/11,000

Tract I and II

Planned Road Improvements: Proposed Northern Beltway divides the tract.

Sight Distance: Good.

Interior Streets:

Tract I. All streets serving single family development are to be public. All streets serving multifamily townhomes are to be private.

Tract II. To be determined under Final Development Plan Review.

Traffic Impact Study recommended: Developer has submitted a completed traffic impact study to NCDOT and Winston-Salem DOT for review.

Connectivity of street network: Good internal connections; should look for another ingress and egress point onto a major or minor thoroughfare for Tract I.

Sidewalks: Need to provide for two additional pedestrian tunnels under the Northern Beltway where the proposed sewer easements are located.

Traffic Calming: Depending upon traffic study, some traffic calming should be considered along Turfwood Drive since it is the only access point into Tract I of the development.

Trip Generation/Existing Zoning:

Tract I - AG 2.84ac/40,000 = 3 units x 9.55 (trip rate) = 29 new trips
 RS20 160.28ac/20,000 = 349 units x 9.55 (trip rate) = 3,333 new trips
 RM12 14.13ac*12unit/ac = 169 units x 6.63 (trip rate) = 1,120 new trips

Tract II - AG 3.67ac/40,000 = 4 units x 9.55 (trip rate) = 38 new trips
 RS20 113.3ac/20,000 = 246 units 9.55 (trip rate) = 2,349 new trips
 RM12 48.26ac*12unit/ac = 579 units x 6.63 (trip rate) = 3,839 new trips

Total trips based on existing zoning = 10,708 new trips

Trip Generation/Proposed Zoning:

Tract I-	Single Family	237 units x 9.55 (trip rate) = 2,263 new trips
	Townhouses	316 units x 5.86 (trip rate) = 1,852 new trips
Tract II-	Single Family	160 units x 9.55 (trip rate) = 1,528 new trips
	Multi Family	480 units x 6.63 (trip rate) = 3,182 new trips

Total proposed trips = 8,825 new trips

Traffic impact analysis study has been prepared by Ramey Kemp & Associates, Inc. The study recommends several improvements that will be needed to handle the traffic expected from the proposed development. Recommendations are being reviewed by the both the Winston-Salem Department of Transportation and North Carolina Department of Transportation.

Transit: No.

HISTORY

Relevant Zoning Cases:

There are no comparable or relevant zoning cases in the area.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): The long-range growth area is defined by the outer boundaries of the drainage basins sewerable by gravity and represents the boundaries of long-range urban development in Forsyth County.

Area Plan/Development Guide: None.

HISTORIC RESOURCES REVIEW:

Known historic resources? Yes.

Forsyth County Architectural Inventory Number/Name: 605/Daniel Speas House (Not on site - appears to be north of the property on Mizpah Church Road).

Known Forsyth County Archaeological Site/Number: 31FS218.

National Register of Historic Places? No.

Local Historic Landmark? No.

In Historic District? No.

Comments:

Information exists suggesting that an archaeological site is located on the site of the proposed development. Identified as Site 31FS218, the site is located north of the Wedgewood subdivision and was found in 1972 during a City-funded preliminary study of Forsyth County's archaeological resources.

Staff discussed the site with Dr. J. Ned Woodall, Director of the Archaeology Laboratory at Wake Forest University. According to Dr. Woodall, Site 31FS218 is classified as *Archaic*, which means the artifacts found on the site are Native American and date between 2,000 and 8,000 years old. Remnants from the site are housed in the Archaeology Laboratory at Wake Forest University. Dr. Woodall indicates strong potential for additional archaeological remains on the site of the proposed development. This determination was made due to the fact that the project area includes wide floodplains along both sides of a long bend of Muddy Creek, and smaller bottomlands along tributary streams. As demonstrated by archaeological surveys in other parts of Forsyth County and the Yadkin Valley, the wider floodplain areas and areas around stream confluences have a very high potential for the preservation of significant prehistoric sites related to the *Protohistoric (1,200AD - 1,700AD, Woodland (2,000BC - 1,200AD)*, and *Archaic (2,000BC - 8,000BC)* periods. The toe slopes along the valley walls in these areas are also high probability areas for preserved archaeological campsites. The project area also encompasses broad upland areas where prehistoric campsites are likely to be present.

Second, the project area is located just north of the Bethania National Register Historic District. Additionally, Bethania is currently under consideration for designation as a National Historic Landmark, the highest level of federal recognition available from the National Park Service. While the Bethania Historic District is outside the project area, it is possible that outlying farmsteads and residences related to the Moravian settlement are present in the project area. An archaeological survey of the project area is needed to determine if such resources exist. Sites related to Bethania are most likely to be situated on well-drained uplands or ridgetops, which are most likely to be the areas developed.

This particular site has the potential to yield significant information. As such, reasonable steps should be undertaken to investigate the site in more detail.

ANALYSIS

The proposed 342-acre Long Creek Village is a large, mixed density, planned residential development. The property is bisected from east to west by the proposed Northern Beltway and is presented as a TWO PHASE MU-S zoning request. Tract I, which lies south of the beltway, is shown with a final development plan, and a comparably sized Tract II, which lies north of the beltway, is presented only for the first phase of zoning review. Both tracts consist of existing RM-12, RS-20 and AG zoned parcels.

The project is unusual in both its size and design concept. Although the property is split into two, similarly sized parcels, each tract is large enough to incorporate varying residential housing types in a well integrated, pedestrian-oriented fashion. So-called neo-traditional design elements, which include common greens, sidewalks, tree lined streets and, greenways, are clearly articulated in Tract I. In its Phase One concept stage, Tract II is also designed for a mixture of housing types. A distinguishing characteristic of the entire project is the development's

emphasis on linking clusters of differing housing types together rather than separating them. This concept produces a residential community which is much more pedestrian in scale and traditional in both appearance and function.

Although the project is substantially impacted by the location of the northern beltway, the integrity of each tract stands alone on its own merits. The project also does a good job of buffering itself from an existing subdivision located south of Tract I. In this instance larger, single family lots which are part of the planned residential development are located adjacent to conventional lots outside the project. Substantial, wooded buffers otherwise separate the site from residential development which lies outside. A pedestrian tunnel is proposed to link the two tracts under the Northern Beltway. A large existing lake in Tract II is proposed to remain.

According to the petitioner's calculations, the project's overall density of 3.48 units per acre does not exceed the density of residential development which might otherwise occur under the existing zoning classification. On this basis, the proposed MU-S zoning is requested primarily to facilitate the proposed mixture of housing types and densities in a more natural and better integrated configuration.

While the overall densities and associated impacts of the development may not be greater than those permitted under the current zoning, the project is constrained in terms of vehicular access. Primarily this is due to the location of Muddy Creek on the west side of the property and the location of the beltway corridor which cuts off all access to Tract I from the north. In this respect existing Turfwood Drive, which intersects with Bethania-Rural Hall Road just east of the property, will serve as the principal point of ingress and egress to Tract I. In contrast, Tract II is better positioned for vehicular access with connections to both Mizpah Church Road and Bethania-Rural Hall Road. As of the time of this writing the developer was working with, and ostensibly has an agreement with, local transportation officials to minimize the project's impacts on existing development and to provide various on site and off site roadway improvements. Depending upon the details of this agreement, site plan conditions may be adjusted to accommodate NC DOT and WS DOT requests.

Another consideration is the existence of a documented pre-columbian archaeological site located on the property. Staff would like to have some cursory sampling done in the area to better determine the geographic extent and significance of the archaeological site. Staff does not anticipate that such sampling will burden the development process.

Given all the factors under review, staff is generally supportive of the proposed MU-S development. Staff believes that the project concept is fundamentally sound regarding the mix of housing types and that the project substantially respects natural terrain features and existing patterns of human development. This is especially true given the substantial physical constraints of the proposed beltway corridor. Providing that the developer agrees to the requirements and recommendations of local DOT, staff believes that the proposed development can serve as a model for mixed density residential development elsewhere in Forsyth County.

FINDINGS

1. The project consists of a 342 acre MU-S (TWO PHASE) zoning proposal which incorporates a mixture of housing types in a Planned Residential Development (PRD) concept.
2. The property consists of existing AG, RS-20 and RM-S zoned property and is bisected into two comparably sized tracts by the Northern Beltway.
3. The property incorporates many established and proven neo-traditional design elements which are intended to create a pedestrian oriented community.
4. According to the developer's calculations the development's overall density of 3.48 units per acre does not exceed the density of development which might otherwise occur under the existing zoning classifications.
5. Vehicular access to the property is constrained by natural terrain features and the Northern Beltway.
6. Based on a traffic impact analysis, local DOT officials and the developer are working to resolve traffic issues which will be documented in the site plan conditions.
7. The site contains one known archaeological site of which staff recommends a further cursory examination prior to development as defined in the site plan conditions.
8. The project may serve as a model for similar mixed density development elsewhere in Forsyth County.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions (conditions available at public hearing):

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
 - a. The developer shall permit a qualified archaeologist to conduct a cursory archaeological investigation of documented archaeological site # 31FS218 and surrounding areas. The petitioner shall not be responsible for the cost of said investigation. The scope of on-site field work shall consist of limited sampling that would not exceed one week in duration. Any archaeological resources recovered shall become the property of an educational institution for research purposes.
- **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 contiguous to Turfwood Drive. Eagle Crest Drive will remain closed to development within the Long Creek Village.
 - b. All documents including covenants, restrictions, and homeowners association agreements shall be recorded in the office of the Register of Deeds.
 - c. All streets shall be constructed with a minimum of eight (8) inches of stone and two (2) inches of bituminous pavement or other combination equivalent to the materials standards of the Public Works Department of the City of Winston-Salem for public street construction. A Professional Engineer (PE) shall verify in writing the construction materials of the streets.
 - d. The developer or the Long Creek Village Homeowners Association shall be responsible for the maintenance and upkeep of the grounds within the traffic circle.

- **PRIOR TO OCCUPANCY PERMITS**
 - a. Public water and sewer shall be installed in accordance with the City-County Utilities Commission.
 - b. Fire hydrants shall be installed in accordance with the Forsyth County Fire Department.
 - c. Developer shall complete all roadway improvements as required and agreed to between the developer and the North Carolina Department of Transportation and the Winston-Salem Department of Transportation.
 - d. Developer shall install a traffic circle to North Carolina Department of Transportation standards at the main project entrance off Turfwood Drive. Said traffic circle shall be substantially in accordance with the traffic circle design as submitted and agreed to by the developer.
 - e. Developer shall design and construct signage for both Long Creek Village and Wedgewood at the traffic circle, to meet NC DOT requirements, and will design and install appropriate signage for both neighborhoods at the Turfwood/Bethania-Rural Hall Road intersection.
 - f. Developer shall install a left turn lane or approved alternative on Turfwood Drive at the intersection of Bethania-Rural Hall Road and construct a southbound right turn lane on Bethania-Rural Hall Road at Turfwood Drive.
 - g. Developer shall resurface Turfwood Drive between the developments's main entrance and Bethania-Rural Hall Road to provide a minimum of one and one-half inch wearing surface. Developer shall also widen Turfwood Drive, where necessary, to a minimum 22 feet wide from edge to edge.

- **OTHER REQUIREMENTS**
 - a. In addition to sign(s) located at the main project entrance off Turfwood Drive, the developer may have one additional sign at the secondary entrance to Turfwood Drive not to exceed a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.

- b. Developer shall install a traffic signal at the intersection of Turfwood Drive and Bethania-Rural Hall Road if, and when, warranted according to NCDOT.
- c. This is TWO PHASE Special Use District zoning whereby subsequent phases of development will be subject to conditions cited above as well as any additional site plan conditions as warranted in new phases of development.
- d. As a condition for future phases of development, the developer must meet all requirements of the North Carolina Department of Transportation and the Winston-Salem Department of Transportation.

[For information purposes only: The petitioner's site is located within the municipal services area of Legacy's growth management map. The site is within the suburban neighborhoods subarea. The policies for this area include creating cohesive neighborhoods with a variety of dwelling types and prices, a discernible center, sidewalks and walking paths, public spaces and civic buildings, and shops and offices providing daily shopping needs and services within or at the edge of the neighborhood.]

PUBLIC HEARING - May 11, 2000

Kerry Avant was excused from participation in this zoning map amendment request.

Glenn Simmons presented the staff report.

FOR:

Todd Isenhour, 3411 Healy Drive, Winston-Salem, NC 27103

We've been working on this for about a year. We didn't want to do a standard subdivision. We wanted to create as many housing options as possible. We wanted to leave as much green space as possible.

Discussed plan.

We have created over three miles of walking trails with this plan.

It's hard to find this kind of facility anywhere in Forsyth County.

We feel this will enhance the value of property in this area.

We will have an architectural design review committee which will ensure that the garages are not the focal point of the houses.

Our request for a traffic study resulted in an extensive list of stuff the DOT would like us to do. We would rather it not be quite so long, but we will adhere to their recommendations.

Most of the folks in this area have lived here for many years. The Piatts have also, but the beltway has taken their homes and they are entitled to use their land.

We feel this is the best and highest use of the property. We would like to have the opportunity to set the standard for Winston-Salem and be the model for other developments.

William Piatt, 1415 Turfwood Drive, Pfafftown, NC 27040

I grew up on this land and am now being displaced by the beltway. After wrestling with this for a very long time, I feel we came up with a plan that has a vision for the future.

AGAINST:

Deborah Stoltz Thompson, P. O. Box 222, 5555 Main Street, Bethania, 27010

Mayor of Bethania.

Traffic is our number one problem.

Bethania has received a federal grant for a comprehensive transportation study.

Bethania also received a federal grant to restore an 18th century house as a visitors center.

Bethania cannot successfully create a visitors center promoting landmark designation with the amount of traffic we have today, let alone more.

Bethania Board of Commissioners request denial or delay until results of transportation study are available. The study is scheduled to begin in two weeks.

Robert C. Adams, P. O. Box 152, 5544 Main Street, Bethania, NC 27010

Request delay.

Submitted petition from Bethania residents requesting delay.

I'm a Commissioner in Bethania.

Main Street Bethania is a short-cut from east to west.

Additional traffic from site will make tourism impossible.

Henry F. Bowman, P. O. Box 331, 5518 Main Street, Bethania, NC 27010

Discussed Soil Conservation Service topographic information.

This entire area drains directly into Muddy Creek. My concerns regard storm water runoff.

Please reject proposal.

James W. McGrath, 2625 Mizpah Church Road, Rural Hall, NC 27045

Submitted petition.

Boyce Shore, 3650 Rollinghill Drive, Tobaccoville, NC 27050

Mayor of Tobaccoville.

Referring only to tract 2 which is the only portion in our annexation agreement area.

I would like for this zoning to be withdrawn and submitted after our planning is complete.

Michael Villano, 1625 Turfwood Drive, Pfafftown, NC 27040

Represent all Wedgewood residents. About 30 people stood in opposition to the request today.

We are concerned about traffic issues.

Our concern with increased traffic is the safety of our residents. We are not against development. The proposed development looks like it will be a beautiful development. But we see no benefit to our community.

We feel the traffic impact on the entire area needs to be looked at further and would like to wait to see this property developed until the Bethania traffic study is completed.

WORK SESSION

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

1. Traffic is a problem in this area.
2. The property can be developed today at a higher density than is proposed today. The site is unlikely to remain undeveloped.
3. Access to the site is limited.
4. NCDOT is willing to help in traffic planning.
5. Without a plan such as the one submitted today, there is no guarantee that the property would be developed as a unit. It could be subdivided and developed by many different owners with little coordination between them.
6. The property will not be developed overnight.
7. The Board encourages the petitioners and neighbors to meet together with the NCDOT to discuss possible options regarding access and transportation issues in this immediate area.

MOTION: Steve Johnson moved continuance of the zoning map amendment and site plan to June 8, 2000.

SECOND: John Bost

VOTE:

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

AGAINST: None

EXCUSED: Avant

PUBLIC HEARING

Kerry Avant was excused from consideration of this request.

Glenn Simmons presented an update on this request.

NOTE: The public hearing was held at the previous meeting and closed. The Planning Board agreed to allow each person 3 minutes to comment on progress made in the interim period.

FOR:

James R. Lippart, 1647 Turfwood Drive, Pfafftown, NC 27040

I was here last time to oppose this request. At your urging we did meet with Mr. Isenhour and Mr. Hubbard. While we are still not happy with all the traffic, the proposed changes are a fair compromise and we will no longer oppose the request. Thank you for continuing this and giving us a chance to meet.

Todd Isenhour, 3411 Healy Drive, Winston-Salem, NC 27103

We felt both meetings were successful and came out with better ideas.

With regard to archaeological investigation, we are glad for anyone to come dig and have whatever they find, but we would like for it to be at their expense.

AGAINST:

J. W. McGrath, 2625 Mizpah Church Road, Rural Hall, NC 27045

Our concerns were about traffic problems and schools. Since that meeting I have had more opportunity to work with the petitioners. With the assurance that the petitioners will go forward with the plan as proposed, I see no problems with the proposal.

Boyce E. Shore, 3650 Rolling Hill Drive, Tobaccoville, NC 27050

Here in capacity of Mayor of Tobaccoville.

The Village has nothing to say about Tract 1; it is within the annexation area of Winston-Salem. However, we request that Tract 2, which is within our future annexation area, be held until our plan is complete.

WORK SESSION

During discussion by the Planning Board, the Board commended the participants for their willingness to work together to create a situation that will benefit all involved.

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

SECOND: John Bost

VOTE:

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

AGAINST: None

EXCUSED: Avant

SITE PLAN MOTION: Steve Johnson certified that the site plan meets all code requirements and recommended staff conditions with the change to condition to allow the archaeological review to be done, but at no cost to the petitioner. The archaeological reviewer shall be responsible for the cost.

SECOND: John Bost

VOTE:

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

AGAINST: None

EXCUSED: Avant

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of William Henry Piatt, Nanette Piatt Long, Margaret G. Piatt, Franklin D. Long and Carole Long as of March 27, 2000.

A. Paul Norby, AICP
Director of Planning