

CITY ORDINANCE - SPECIAL USE

Zoning Petition of William Crouse, Docket W-3348

AN ORDINANCE AMENDING THE
WINSTON-SALEM CITY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF
THE CITY OF WINSTON-SALEM, N.C.

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RS9 to RM8-S (Life Care Community; Residential Building, Single Family; and Planned Residential Development) the zoning classification of the following described property:

PIN #6813-90-8804

Section 2. This Ordinance is adopted after approval of the site plan entitled Stratford Crest and identified as Attachment "A" of the Special Use District Permit issued by the City Council the 4th day of December, 2017 to William Crouse.

Section 3. The City Council 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 Stratford Crest. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of William Crouse, (Zoning Docket W-3348). 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 RM8-S (Life Care Community; Residential Building, Single Family; and Planned Residential Development), approved by the Winston-Salem City Council the 4th day of December, 2017" and signed, provided the property is developed in accordance with requirements of the RM8-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- a. Developer shall flag in the field the Tree Save Area as noted on the site plan. Vegetation in this area shall be protected from grading encroachment in accordance with UDO requirements.
- b. Developer shall obtain a driveway permit from NCDOT/City of Winston-Salem; additional improvements may be required prior to issuance of driveway permit. Required improvements include:
 - Dedication of right-of-way along Clemmons Road forty (40) feet from centerline.
 - Install sidewalk and curb and gutter along Clemmons Road.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. Developer shall complete all requirements of the driveway permit.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

| PETITION INFORMATION | | | |
|---|--|------------------------|----------------------|
| Docket # | W-3348 | | |
| Staff | Gary Roberts, Jr. AICP | | |
| Petitioner(s) | William Crouse | | |
| Owner(s) | Same | | |
| Subject Property | PIN# 6813-90-8804 | | |
| Address | The undeveloped site does not currently have an address assignment. | | |
| Type of Request | Special use rezoning request from RS9 to RM8-S | | |
| Proposal | <p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS9 (Residential, Single Family – 9,000 sf minimum lot size) to RM8-S (Residential, Multifamily – 8 dwelling units per acre maximum density). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> Life Care Community; Residential Building, Single Family; and Planned Residential Development | | |
| Neighborhood Contact/Meeting | See Attachment B for a summary of the petitioner’s neighborhood outreach efforts. | | |
| Zoning District Purpose Statement | The RM8 District is primarily intended to accommodate duplexes, twin homes, townhouses, multifamily, and other low intensity multifamily uses at a maximum overall density of eight (8) units per acre. This district is appropriate for GMAs 2 and 3 and may be suitable for Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services are available. | | |
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | <p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the proposed density (of the overall development) is less than eight dwelling units per acre and the site is located in GMA 3 where urban services are provided.</p> | | |
| GENERAL SITE INFORMATION | | | |
| Location | South side of West Clemmons Road, west of Paula Drive | | |
| Jurisdiction | City of Winston-Salem | | |
| Ward(s) | South | | |
| Site Acreage | ± 1.44 acres | | |
| Current Land Use | The site is currently undeveloped. | | |
| Surrounding Property Zoning and Use | Direction | Zoning District | Use |
| | North | RS9 | Single family homes |
| | East | RS9 | Single family homes |
| | South | RS9 | Undeveloped property |
| | West | RS9 | Single family homes |
| Applicable Rezoning Consideration | (R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity? | | |

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| from Chapter B, Article VI, Section 6-2.1(R) | | Due to the layout of the proposed development including the specific location and scale of the residential buildings shown on the site plan, the proposed uses are compatible with the uses permitted on the adjacent properties. | | | | |
| Physical Characteristics | | The undeveloped site has a gentle slope downward in all directions from the center of the site. | | | | |
| Proximity to Water and Sewer | | Public water and sewer are available to the site. | | | | |
| Stormwater/ Drainage | | No known issues. | | | | |
| Watershed and Overlay Districts | | The site is not located within a water supply watershed. | | | | |
| Analysis of General Site Information | | The site has no development constraints such as steep slopes, watersheds, or designated floodplains. | | | | |
| RELEVANT ZONING HISTORIES | | | | | | |
| Case | Request | Decision & Date | Direction from Site | Acreage | Recommendation | |
| | | | | | Staff | CCPB |
| W-2731 | County RS9 to City RS9 | Approved 11-1-2004 | Directly east | 56.77 | Approval | Approval |
| F-890 | R6 to R6-S (RS9-S) | Denied 7-11-1988 | 900' southwest | 1.48 | Approval | Denial |
| SITE ACCESS AND TRANSPORTATION INFORMATION | | | | | | |
| Street Name | | Classification | Frontage | Average Daily Trip Count | Capacity at Level of Service D | |
| Clemmonsville Road | | Major Thoroughfare | 336' | 13,000 | 15,300 | |
| Proposed Access Point(s) | | The site plan shows a private street access onto Clemmonsville Road. This street would extend southward through the portion of the overall development which is within Forsyth County, and would connect with Paragon Drive which is a public street. | | | | |
| Planned Road Improvements | | The proposed site plan shows right-of-way dedication along Clemmonsville Road, forty (40) feet from the centerline. The developer will also be required to install a left turn lane, curb and gutter, and sidewalk along Clemmonsville Road. | | | | |
| Trip Generation - Existing/Proposed | | <u>Existing Zoning: RS9</u> 1.44 acres x 43,560 sf / 9,000 sf = 6 units x 9.57 (SFR Trip Rate) = 57 Trips per Day <u>Proposed Zoning: RM8-S</u> Because no structures are proposed for the subject property, no trip generation can be determined. However, the following is the estimated trip generation for the portion of the overall development which is within the jurisdiction of Forsyth County and where the buildings are proposed: 124 units x 2.81(Retirement Community Trip Rate) = 348 Trips per Day | | | | |

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| Sidewalks | Sidewalk along Clemmonsville Road and the new internal streets will be required. | |
| Transit | Routes 83 and 101 serve the intersection of Peters Creek Parkway and Stafford Village Boulevard located approximately 1.4 miles to the east. | |
| Connectivity | The site is proposed for development in conjunction with the site located directly to the south which is also under consideration for rezoning (F-1570). | |
| Transportation Impact Analysis (TIA) | A TIA is not required. | |
| Analysis of Site Access and Transportation Information | <p>While no buildings are proposed on the site plan, the proposed rezoning would permit access to the development of a Life Care Community immediately south. Due to the nature of this type of development which may offer a full range of living and care arrangements for persons who are either disabled or over the age of 55, the estimated vehicular trip generation is significantly less than what could be expected under a single family home development scenario.</p> <p>In consideration of the overall site plan which includes the portion which is within the jurisdiction of Forsyth County (see tandem rezoning case F-1570) the proposed design demonstrates good internal vehicular and pedestrian circulation. In order to facilitate greater connectivity between neighborhoods, staff recommends the proposed new private street (Silver Grove Road) which extends the length of the site from Clemmonsville Road to Paragon Drive would include a public access easement and not be gated. The petitioners are not in agreement with this recommendation and are proposing a gate at the intersection of Silver Grove Road and Paragon Drive.</p> | |
| SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS | | |
| <u>The following site plan information is based upon the overall 15.45 acre site which is partially within the jurisdiction of the City of Winston-Salem and partially within the jurisdiction of Forsyth County.</u> | | |
| Building Square Footage | Square Footage | Placement on Site |
| | 170,616 | See comments below. |
| Units (by type) and Density | 124 single family, duplex, and apartment units / 15.45 acres (total development acreage) = 8 units per acre. | |
| Parking | Required | Proposed |
| | 190 spaces | 212 spaces |
| Building Height | Maximum | Proposed |
| | 45’ | One and three stories |
| Impervious Coverage | Maximum | Proposed |
| | 70% | +/- 44% |
| UDO Sections Relevant to Subject Request | <ul style="list-style-type: none">Chapter B, Article II, Section 2-1.2 (L) RM8 DistrictChapter B, Article II, Section 2-5.60 Planned Residential DevelopmentChapter B, Article II, Section 2-5.64 Residential Building, Multifamily Use Conditions | |
| | (A) Legacy 2030 policies: | Yes |

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| Complies with Chapter B, Article VII, Section 7-5.3 | (B) <i>Environmental Ord.</i> | NA |
| | (C) Subdivision Regulations | NA |
| Analysis of Site Plan Compliance with UDO Requirements | <p>The site plan for the subject property includes the City of Winston-Salem portion of an overall proposed Life Care Community development which has dual jurisdictional authority (see tandem rezoning case F-1570). Both site plans are functionally dependent upon one another.</p> <p>The portion of the site plan for the subject property shows the connection onto Clemmonsville Road, the trash compactor, and a community garden. It also includes the required Thoroughfare Open Space component along Clemmonsville Road. Thirty foot wide Type II bufferyards are located along the eastern and western property lines. No buildings are proposed on the subject property. The overall site plan (which includes both the City and County portions) meets the requirements of the UDO including those of the Planned Residential Development (PRD) section.</p> | |
| CONFORMITY TO PLANS AND PLANNING ISSUES | | |
| Legacy 2030 Growth Management Area | Growth Management Area 3 - Suburban Neighborhoods Area | |
| Relevant Legacy 2030 Recommendations | <ul style="list-style-type: none">• Increase infill development in the serviceable land area.• Promote land use compatibility through good design and create a healthy mix of land uses in proximity to one another.• Design and develop age-friendly neighborhoods that cater to the needs of different age groups.• Investigate the creation of neighborhoods with lifecycle housing opportunities that allow seniors to age in place.• Use the area plan process to promote a variety of housing types, including those that cater to seniors within the same neighborhood. | |
| Relevant Area Plan(s) | South Suburban Area Plan (2011), Update in progress | |
| Area Plan Recommendations | <ul style="list-style-type: none">• The Proposed Land Use Map for both the existing and the draft update plan shows the subject property for single-family residential land use (0-8 DU/AC). | |
| Site Located Along Growth Corridor? | The site is not located along a growth corridor. | |
| Site Located within Activity Center? | The site is not located within an activity center. | |

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| Other Applicable Plans and Planning Issues | As noted previously, the site plan for the subject property is the City of Winston-Salem portion of an overall 15.45 acre site which has dual jurisdictional approval authority (See tandem rezoning case F-1570). |
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | (R)(3) - Have changing conditions substantially affected the area in the petition? |
| | No |
| | (R)(4) - Is the requested action in conformance with <i>Legacy 2030</i>? |
| Analysis of Conformity to Plans and Planning Issues | Yes |
| | <p>The subject request to rezone a 1.44 acre undeveloped site from RS9 to RM8-S is tied to a larger rezoning request (F-1570) for an adjacent undeveloped tract would allow for the construction of a Life Care Community. Life Care Community is defined as: “An area of land under unified ownership planned and developed as a unit to provide for the transitional residency and care of persons aged fifty-five (55) years or older and/or handicapped. Life care communities may offer a full range of living and care arrangements, including independent living in attached or detached dwelling units, assisted living in congregate care facilities, and full time health care in nursing care institutions.”</p> <p><i>Legacy 2030</i> recommends the development of a variety of housing types and the creation of neighborhoods which would allow seniors to age in place. Staff believes the subject request is consistent with this goal.</p> <p>The <i>South Suburban Area Plan</i> and the draft update both recommend single-family residential land use (0-8 DU/AC) for this property. The overall request is consistent with the area plan recommendation in that it is for a <u>residential</u> land use and not for a commercial or industrial etc. development. Also, while the overall development includes a variety of housing types and not only single family detached homes, it does comply with the maximum density recommendation of eight dwelling units per acre.</p> <p>From a traffic generation perspective and as noted previously, the development would generate less traffic than what could be expected under the current RS9 zoning.</p> <p>Planning staff favorably notes that the proposed design is sensitive to the scale and location of the adjacent single family homes to the east within the Bethany Trace neighborhood. This side would have a 30 foot wide Type II bufferyard adjacent to the property line. The proposed one story single and duplex homes would be setback approximately 100 feet from said property line. The western side of the site (which abuts an existing church) is where the larger three story multifamily buildings are proposed.</p> <p>In summary, considering the proposed residential land use, the density, the traffic impact, and the sensitive site design, Planning staff recommends approval of the request.</p> |
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| CONCLUSIONS TO ASSIST WITH RECOMMENDATION | |
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| Positive Aspects of Proposal | Negative Aspects of Proposal |
| The overall request is consistent with the recommendations of <i>Legacy 2030</i> in that it would promote a variety of housing types and the creation of neighborhoods which would allow seniors to age in place. | The site plan, as submitted, does not include a public access easement for the new private street which would connect Paragon Drive to Clemmons ville Road. |
| The overall proposed development would generate less traffic than what could be expected under the current zoning. | |
| The overall site plan places one story single family homes and duplexes on the eastern side of the site near the Bethany Trace neighborhood and three story multifamily buildings on the western portion of the site closer to a church. | |
| SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL | |
| The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts. | |
| <ul style="list-style-type: none">• <u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u><ul style="list-style-type: none">a. Developer shall flag in the field the Tree Save Area as noted on the site plan. Vegetation in this area shall be protected from grading encroachment in accordance with UDO requirements.b. Developer shall obtain a driveway permit from NCDOT/City of Winston-Salem; additional improvements may be required prior to issuance of driveway permit. Required improvements include:<ul style="list-style-type: none">• Dedication of right-of-way along Clemmons ville Road forty (40) feet from centerline.• Install sidewalk and curb and gutter along Clemmons ville Road.• <u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u><ul style="list-style-type: none">a. Developer shall complete all requirements of the driveway permit. | |

STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

CITY-COUNTY PLANNING BOARD PUBLIC HEARING MINUTES FOR W-3348 OCTOBER 12, 2017

Aaron King presented the staff report.

In response to a question by the Board regarding street connectivity, the following comments were provided:

PUBLIC HEARING

FOR:

Scott Miller, 120 Club Oaks Court, Suite 100, Winston-Salem, NC 27104

- I am the President of MLA Design Group.
- We had a neighborhood meeting that was well attended with about 25 to 30 folks there.
- There was some discussion about connection through Paragon Drive and that is one of the things that led us to the gate at that rear location.
- The developer preferred not to make that connection originally just to keep that traffic flow at a minimum through this development. But at the same time, we understood the need to make the connection from a fire service and safety standpoint.
- Most of the residences that brought up questions about the connection really like the idea of the gated component.
- Actually staff had asked us that prior to this meeting and we told them that we are pretty much obligated to the residences next door that we would place that gate there unless forced to do otherwise. And that is why it is still on the plan.

AGAINST: None

WORK SESSION

MOTION: Jason Grubbs moved approval of the zoning petition and certified that the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: Allan Younger

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Chris Leak, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP

Director of Planning and Development Services