March 1, 2018 Item #1 A-D

# Motion and Statement of Consistency with Comprehensive Plan F-1573

I move that the following statement be adopted in support of a *Motion to Approve* Zoning Map Amendment F-1573:

The proposed special use zoning map amendment, as petitioned by Shirley Hester, to rezone a 15.93 acre tract of undeveloped land from AG (Agricultural – 40,000 sf minimum lot size) to RS30-S (Residential, Single Family – 30,000 sf minimum lot size – special use zoning), is consistent with the recommendations of the Legacy Comprehensive Plan, and is reasonable and in the public interest because:

- 1. The proposed rezoning would generate traffic which is comparable with what would be expected under the current zoning; and
- 2. The proposed site plan includes excellent street connectivity and the site has access onto a minor thoroughfare and it is served with public water; and
- 3. The proposed site plan is consistent with the RS30 district purpose statement and is compatible with the adjacent residential development which is zoned RS30.

Based on the foregoing Statement, I move adoption of F-1573. Second:

Vote:

# Motion and Statement of Consistency with Comprehensive Plan F-1573

I move that the following statement be adopted in support of a <u>Motion</u> to <u>Deny</u> Zoning Map Amendment F-1573:

The proposed special use zoning map amendment, as petitioned by Shirley Hester, to rezone a 15.93 acre tract of undeveloped land from AG (Agricultural – 40,000 sf minimum lot size) to RS30-S (Residential, Single Family – 30,000 sf minimum lot size – special use zoning), is consistent with the recommendations of the Legacy Comprehensive Plan, however, it is not reasonable or in the public interest because:

The proposed rezoning would result in smaller residential lot sizes on a site which is located within Growth Management Area 5(GMA) and is not served with public sewer;

Based on the foregoing Statement, I move denial of F-1573. Second:

Vote:

### **FORSYTH COUNTY**

### BOARD OF COMMISSIONERS

MEET	TING DATE: March 1, 2018 AGENDA ITEM NUMBER:				
SUBJE	ECT:-				
A.	Public Hearing on Zoning Map Amendment of Shirley Hester From AG to RS30-S (Residential Building, Single Family) (Zoning Docket F-1573)				
В.	Ordinance Amending the Forsyth County Zoning Ordinance and the Official Zoning Map of the County of Forsyth, North Carolina				
C.	Approval of Special Use District Permit				
D.	Approval of Site Plan				
COUN	TY MANAGER'S RECOMMENDATION OR COMMENTS:-				
SUMM	IARY OF INFORMATION:-				
See atta	ached staff report.				
After co	onsideration, the Planning Board recommended approval of the rezoning petition.				
ATTA	CHMENTS:- X YES NO				
SIGNA	County Manager  DATE:				

### COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Shirley Hester, Docket F-1573

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 <u>AG</u> to <u>RS30-S</u> (Residential Building, Single Family) the zoning classification of the following described property:

PIN# 6889-64-8358

Section 2. This Ordinance is adopted after approval of the site plan entitled <u>Deer Path</u>.

Phase 3, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_ to Shirley <u>Hester</u>.

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 <u>Deer Path, Phase 3</u>. 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 Shirley Hester (Zoning Docket F-1573). 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 RS30-S (Residential Building, Single Family), 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 RS30-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. Developer shall obtain all necessary permits (including stormwater) from the NC Division of the Environment and Natural Resources (DENR).
- b. Developer shall obtain a driveway permit from NCDOT.

### 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 street right-of-ways, and all access and utility easements.

### • PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. All NCDENR requirements shall be completed.
- b. Developer shall complete all requirements of the driveway permit.

### CITY-COUNTY PLANNING BOARD DRAFT STAFF REPORT

PETITION INFORMATION						
Docket #	F-1573					
Staff	Gary Roberts, Jr. AICP					
Petitioner(s)	Shirley Hester					
Owner(s)	Same					
<b>Subject Property</b>	PIN # 6889-64-					
Address	The undevelope	ed site does not currently have	e an address assignment.			
Type of Request		oning from AG to RS30-S				
Proposal	The petitioner is requesting to amend the Official Zoning Maps for the subject property <u>from</u> AG (Agricultural – 40,000 sf minimum lot size) <u>to</u> RS30-S (Residential, Single Family – 30,000 sf minimum lot size – special use zoning). The petitioner is requesting the following use:  • Residential Building, Single Family					
Neighborhood Contact/Meeting	See Attachment outreach efforts	B for a summary of the pet	itioner's neighborhood			
Zoning District Purpose Statement	The RS30 District is primarily intended to accommodate single family detached dwellings on approximately three-quarter (0.75) acre lots in areas without access to public water and sewer services. This district is intended for application in GMAs 4 and 5. The district may also be applicable to older, larger lot development in GMAs 2 and 3 developed prior to the effective date of this Ordinance.					
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?  Yes, the site is located within GMA 5, it is adjacent to other RS30 zoned properties, and the site plan is for single family homes on lots of at least 30,000 square feet.					
	GENER	AL SITE INFORMATIO	N			
Location		of Goodwill Church Road w				
Jurisdiction	Forsyth County		22.00			
Site Acreage	± 15.93 acres					
Current Land Use	Current The site is currently undeveloped.					
Surrounding	Direction	Zoning District	Use			
<b>Property Zoning</b>	North	AG	Undeveloped property			
and Use	East	RS40	Undeveloped property			
	South	RS30	Single family homes			
	West	RS30	Single family homes			
Applicable Rezoning Consideration	classification/r properties in the		the proposed es permitted on other			
from Chapter B, Article VI, Section 6-2.1(R)	Yes, the proposed use of Residential Building, Single Family is a permitted use on all of the adjacent properties.					

Physical		The eastern portion of the site along Goodwill Church Road has been						
Characteristics		farme	ed. The major	ity of the site	is heavily v	vooded. The s	ite has a	
		mode	erate slope do	wnward towa	rd the south	west.	1200	
Proximity to			site has access				ive access to	
	nd Sewer	publi	c sewer.					
Stormwa				streets will u	tilize a ditch	cross section	for stormwate	
Drainag			igement.	. 1 1.4 1				
Watersh	ed and Districts	The s	site is not loca	ted within a v	water supply	watershed.		
Analysis		The	ite has gener	lly favorable	tonoomonha	and although	it has access to	
General		publi	c water, it doe	es not have ac	cess to nubl	ic sewer servi	ce. Depending	
Informa		upon	the site's cap	ability to acco	ommodate s	entic systems	the site is	
		adequ	uate for the pr	oposed single	family resi	dential develo	opment.	
			RELEVAN	T ZONING	HISTORIE	S		
Case	Reque	st	Decision &	Direction	Acreage		mendation	
			Date	from Site		Staff	ССРВ	
F-1457	AG to RS	40	Approved 4-10-2006	Directly northeast	8.37	Approval	Approval	
4 25 - 0	SITE	ACC	ESS AND TH		ATION IN	FORMATIO	N	
Street	t Name		sification	Frontage	Average		ty at Level of	
					Daily Trip	Service D		
					Count			
	ll Church	Minor 461' 1,600 15,8		15,800				
	oad		roughfare	503				
	dow Lane  Fail Trail		cal Street	50'	NA	NA		
Propose			cal Street	50'	NA	0 1 11 01	NA	
Point(s)	Access	The primary access to the site will be from Goodwill Church Road. The site will also connect with two public streets which stub into the subject						
1 ome(s)		nrone	erty, Stag Mea	idow I ane an	d White Tai	s which stud ii 1 Trail	nto the subject	
Planned	Road						minor and	
Improve		Goodwill Church Road and nearby Piney Grove Road are minor and major thoroughfares respectively. They are planned as two lane cross						
		sections with wide shoulders. As indicated by the 2007 Collector Street						
		Plan, the intersection of Goodwill Church Road and Piney Grove Road is						
		recommended for realignment with Freeman Road (see Attachment C).						
		The V	Winston-Saler	n/Forsyth Co	unty Plannir	ng Board endo	orsed the	
		Collector Street Plan on July 12, 2007 and the Winston-Salem Urban						
		Area Transportation Advisory Committee adopted the plan on September						
		20, 20						
Trip Generation - Existing/Proposed		Existing Zoning: AG						
		15.93 acres x 43,560 sf / 40,000 sf = 17 units x 9.57 (SFR Trip Rate) = $\frac{162 \text{ Tr}}{1}$						
		163 T	Trips per Day					
		Dec	and 7	n a 2 0 - a	1			
		Proposed Zoning: RS30-S 19 lots x 9.57 (SFR Trip Rate) = 182 Trips per Day						
	Sidewalks				- 197 Taniana a			
Sidewall	cs	There	are no sidew	alks located i	n the general	Der Day	alks are not	
Sidewalk	<b>S</b>	There	e are no sidew	alks located i	n the genera	al area. Sidewa	alks are not rsyth County in	

Transit	Not available				
Connectivity	The proposed street layout demonstrates excellent connectivity and proposes no cul-de-sacs. Connectivity to all four sides of the subject property is provided either by connections to an existing street or with a street stub.				
Analysis of Site Access and Transportation Information	The subject property has frontage on a minor thoroughfare and will also have interior connections to public streets as well as a stub street extending to the undeveloped property located to the north. The trip generation for both the existing and the proposed zonings are essentially the same. Staff does not foresee any transportation related issues associated with the proposed rezoning.  E PLAN COMPLIANCE WITH UDO REQUIREMENTS				
Units (by type) and Density	19 single family homes on	15.93 acres = 1.2 dwelling units per acre			
UDO Sections Relevant to Subject Request	<ul> <li>Chapter B, Article II, Section 2-1.2 (D) RS30 Residential Single Family District</li> <li>Chapter D, Article IV, Major Subdivisions</li> </ul>				
Complies with	(A) Legacy 2030 policies:	See comments below.			
Chapter B,	(B) Environmental Ord.	NA			
Article VII, Section 7-5.3	(C) Subdivision Regulations	Yes			
Analysis of Site Plan Compliance with UDO Requirements	streets are proposed and the layout exceeds the minimum connectivity ratio requirement of the UDO. The lots will be served with public water				
Legacy 2030 Growth Management Area	Growth Management Area				
Relevant  Legacy 2030  Recommendations	<ul> <li>Encourage subdivisions that conserve open space and rural vistas.</li> <li>Do not rezone property to more intense districts.</li> </ul>				
Relevant Area Plan(s)	Northeast Rural Area Study (2012)				
Area Plan Recommendations	<ul> <li>Encourage rurally-compatible design and landscaping of residential development to minimize the impact of new developments on the community's rural and scenic character.</li> <li>Minimize the rezoning of land to more intensive residential development.</li> </ul>				
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.				

**Applicable** Rezoning Consideration from Chapter B. Article VI. Section 6-2.1(R)

the petition?

No

(R)(4) - Is the requested action in conformance with Legacy 2030?

See comments below.

Analysis of Conformity to Plans and Planning Issues

The subject request is to rezone a 15.93 tract of undeveloped land from AG to RS30-S in order to develop a 19 lot single family subdivision. Located directly to the south and west of the subject property is the Deer Path neighborhood which is zoned RS30. The proposed site plan includes two street connections to this development as well as a stub street to the undeveloped property to the north.

(R)(3) - Have changing conditions substantially affected the area in

The site is located within the Rural GMA and within the Northeast Rural Area Study. In both of these documents, the general recommendation is to minimize the rezoning of land to more intensive residential districts. However, in looking closely at the subject request, Planning staff makes the following site specific observations. First, the subject property is not positioned in the middle of a large uniformly zoned area of AG. As noted previously, the site is located directly adjacent to a developed neighborhood which is zoned RS30 and includes two street stubs into the subject property. Secondly, the subject property is served with public water. Finally, the proposed single family residential subdivision is compatible with the development pattern of the adjacent neighborhood.

In consideration of these site specific characteristics, Planning staff sees the subject request as representing a logical continuation of the Deer Path neighborhood. Staff recommends approval.

### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

### **Positive Aspects of Proposal** The request is consistent with the RS30 district purpose statement.

The proposed site plan is compatible with the adjacent residential development which is zoned RS30.

The site has access onto a minor thoroughfare and it is served with public water.

The proposed trip generation is comparable with what would be expected under the current zoning.

The proposed site plan demonstrates excellent street connectivity and includes no cul-de-sacs.

### **Negative Aspects of Proposal**

The request would result in smaller residential lot sizes on a site which is located within GMA 5 and is not served with public sewer.

### 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.

### PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- a. Developer shall obtain all necessary permits (including stormwater) from the NC Division of the Environment and Natural Resources (DENR).
- b. Developer shall obtain a driveway permit from NCDOT.

### PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

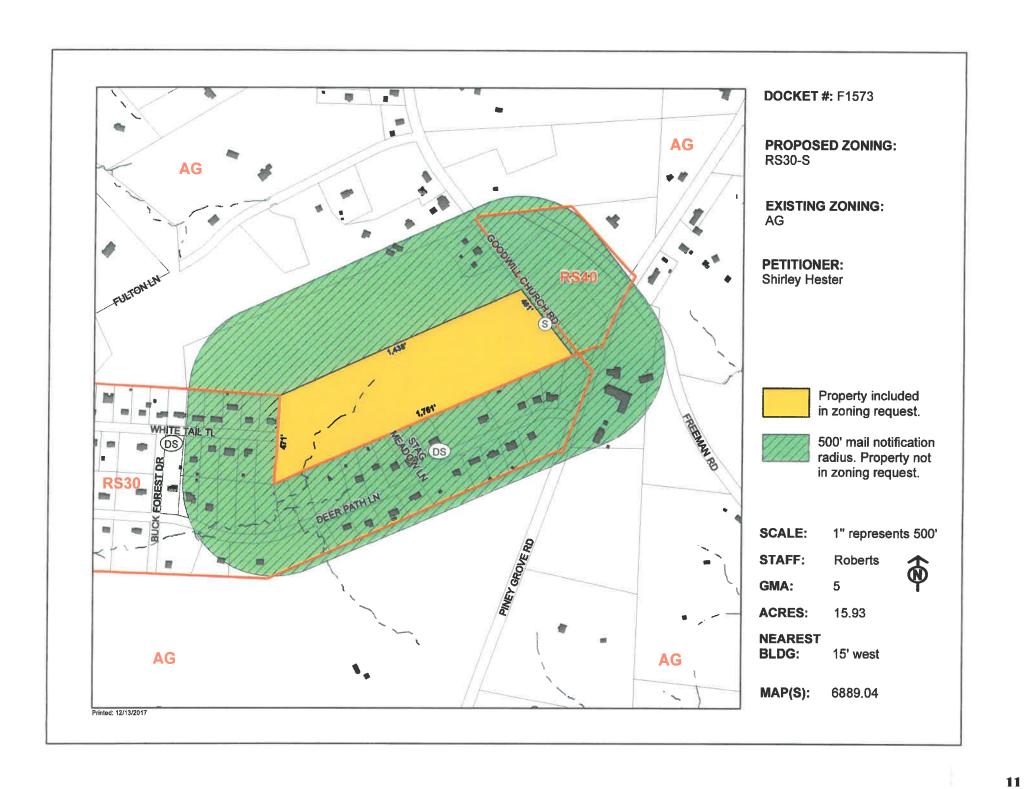
a. Developer shall record a final plat in the Office of the Register of Deeds. Final plat shall show street right-of-ways, and all access and utility easements.

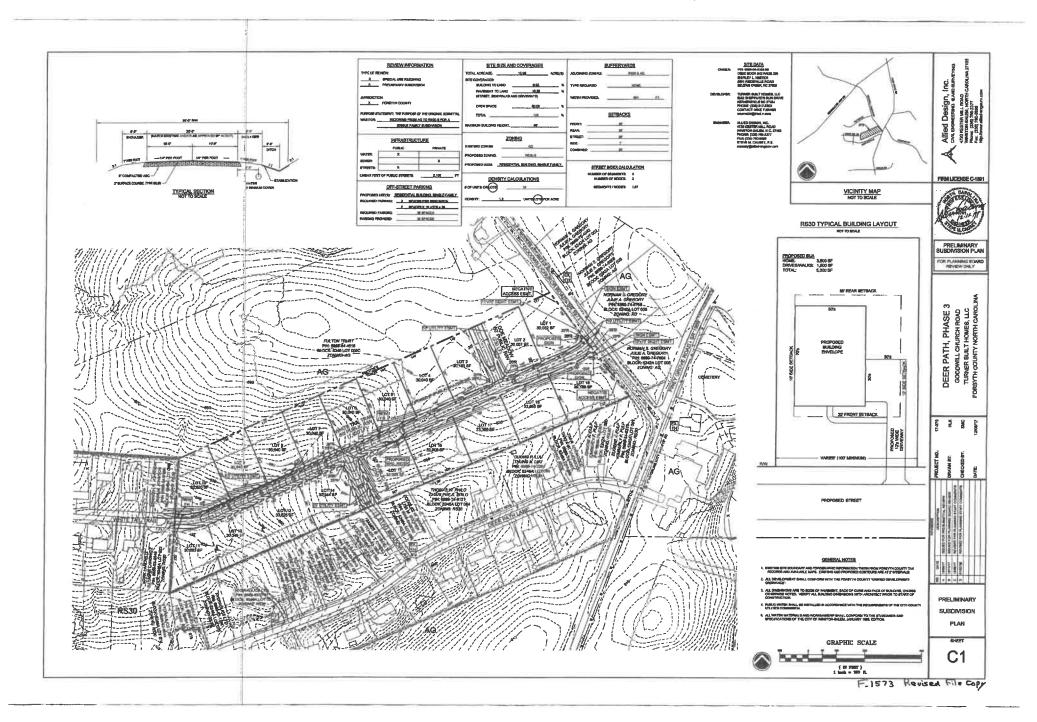
### • PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. All NCDENR requirements shall be completed.
- b. 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.





### F-1573 ATTACHMENT A EXISTING USES ALLOWED IN THE AG ZONING DISTRICT

Forsyth County Jurisdiction Only

### USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Adult Day Care Home

Agricultural Production, Crops

Agricultural Production, Livestock

Agricultural Tourism

**Animal Feeding Operation** 

Child Day Care, Small Home

Church or Religious Institution, Neighborhood

Family Group Home A

Fish Hatchery

Kennel, Outdoor

Police or Fire Station

Recreation Facility, Public

Residential Building, Single Family

Swimming Pool, Private

Transmission Tower (see UDO)

### USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)

Cemetery

Church or Religious Institution, Community

**Golf Course** 

Landfill, Land Clearing/Inert Debris, 2 acres or less

Library, Public

Planned Residential Development

School, Private

School, Public

Utilities

### USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)

1

**Borrow Site** 

Campground

Child Day Care, Large Home

Dirt Storage

Fishing, Fee Charged

Habilitation Facility A

Manufactured Home, Class A

Manufactured Home, Class B

Manufactured Home, Class C

Nursing Care Institution

13

### F-1573 ATTACHMENT A EXISTING USES ALLOWED IN THE AG ZONING DISTRICT

Forsyth County Jurisdiction Only

Park and Shuttle Lot Recreational Vehicle Park Riding Stable Shooting Range, Outdoor Special Events Center Transmission Tower

### USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)

Access Easement, Private Off-Site<sup>5</sup> Landfill, Land Clearing/Inert Debris, greater than 2 acres

<sup>5</sup>SUP not required if requirements of Section <u>B.2-5.2(A)</u> are met

### INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

**Project Case Number: F-1573** 

### PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS

Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests, Subdivisions, and Planning Board Review items; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. A list of recommended conditions from this Interdepartmental Review will be sent to you via e-mail generally by the end of the business day on Friday the week prior to the Planning Board Public Hearing.

PROJECT CASE NUMBER: F-1573 PROJECT TITLE: Deer Path Phase 3 DATE: 12/27/17

PROJECT DESCRIPTION: Southwest side of Goodwill Church Road, west of Piney Grove Road

NCDOT (Wright Archer)- Phone # - 336.747.7900 Email: warcher@ncdot.gov

NCDOT Driveway Permit is required to consist of 2 signed driveway permit applications, \$50 check made payable to NCDOT, and 5 sets of plans. NCDOT Encroachment Agreement is required for water line tap.

WSDOT (Jeff Fansler)- Phone # - 336.747.6883 Email: jeffreygf@cityofws.org

Remove entrance Signs from sight esmt. Lanes should be a minimum of 11'. Please indicate that on the plan in the typical section. Show mail kiosk on the plan. Provide a radius on the R/W on both sides of the entrance to development. Locate Driveways as far away from the intersections as possible. NAE should remain along Goodwill church road, but does not need to be 10'.

Engineering (Al Gaskill)- Phone # - 336.747.6846 Email: albertcg@cityofws.org

No Comment

Inspections - Phone # - Aaron King - 336.747.7068 Email: aaronk@cityofws.org

Erosion Control (Matt Osborne)- Phone # - 336.747.7453 Email: matthewo@cityofws.org

An Environmental Grading and Erosion Control Permit will be required if more than 10,000 square feet is to be disturbed during any potential construction. An Erosion and Sedimentation Control plan must be submitted and approved before the permit can be issued. Please submit this plan at least 30 days prior to the intended start date of construction.

Stormwater Division (Joe Fogarty)- Phone # - 336.747.6961 Email: josephf@cityofws.org

No Comment

County Fire- (Tony Stewart)- Phone # - 336.703.2562 Email: stewaraj@forsyth.cc

Meets intent of code

### INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

**Project Case Number: F-1573** 

### Utilities (Todd Lewis)- Phone # - 336.747.6842 Email: toddl@cityofws.org

- -Submit water extension plans to Utilities Plan Review for permitting/approval.
- -Make Hydraulic Tie Stag Meadow Lane to help with Chlorine Residuals/Water Quality.
- -Water Meters purchased through City of Winston-Salem.
- -NCDOT Encroachment agreement required for water line. NCDOT will require to bore and jack the water line tie in Goodwill Church Road.

Sanitation (Johnnie Taylor)- Phone # - 336.748.3080 Email: johnniet@cityofws.org

Planning (Aaron King)- Phone # - 336.747.7068 Email: aaronk@cityofws.org

Planning staff will recommend that a stub street to the north be included in this development.

Street Names/Addresses (Matt Hamby) -336. 747.7074 Email: <a href="mailto:hambyme@mapforsyth.org">hambyme@mapforsyth.org</a> Street Names/Addresses (Stacy Tolbert) -336. 747.7497 Email: <a href="mailto:tolbersy@mapforsyth.org">tolbersy@mapforsyth.org</a>

Addresses will be issued during planning process.

Forsyth County Health Department - 336.703-3110 Email: rakescd@forsyth.cc

Applications to be submitted to the FCHD prior to issuance of grading permits. Also, all copies of Licensenced Soil Scientist maps and documentation to be submitted with those applications.

Vegetation Management -336.748.3020 Email: keithf@cityofws.org

### CITY-COUNTY PLANNING BOARD PUBLIC HEARING MINUTES FOR F-1573 JANUARY 11, 2018

Gary Roberts presented the staff report.

### **PUBLIC HEARING**

#### FOR:

Steve Causey, Allied Design, Inc., 4720 Kester Mill Road, Winston-Salem, NC 27103

- Allied Design did work with the developer to prepare the site plan. The appropriate layout was obvious in that we knew we had to connect the streets.
- We did work with Gary Roberts to add an additional stub up to the north.
- We did have a neighborhood meeting and we have a couple of residents from the adjacent neighborhood that are here if you have any questions for them as well.

### Justin Lintz, 9332 Deer Path Lane, Kernersville, NC 27284

- I think it is a good idea because we have had a lot of trouble with trees falling down and blocking almost three quarters of the neighborhood off. I've been in the Fire Department for four years and it is an issue for Emergency Services to get in there. To be able to get in there we have to deal with the trees, snow, and heavy rain.
- It's a good safety measure to have another entrance and to have residential housing around also.

### Wesley Lintz, 9332 Deer Path Lane, Kernersville, NC 27284

- We've had a lot of problems over the years with the trees falling and we've had to use our chainsaws to clear some of them out.
- Recently the fire department also had to clear the trees out to get access in.
- It wouldn't hurt anything for another access into our neighborhood.

#### AGAINST: None

#### Art Kuhlmann, 9505 White Tail Trail, Kernersville, NC 27284

- My house is one house from the proposed expansion. I am opposed to this expansion.
- I purchased my property in 1989 right next to a cul de sac, very quiet and secure and never knowing that this would potentially be the beginning of a Phase 3 expansion. Had I known an expansion was possible, I would have probably selected another property instead of the one where I currently reside.
- When I first moved into the neighborhood in the 1990's, there were several attempted

and actual home break-ins. Those instances occurred at the front of the subdivision. They never occurred any further back into the subdivision, probably because there was only one way in and one way out. This will no longer be the case as White Tail Trail will be extended to intersect with Goodwill Church Road. Now there will be two entrances to the subdivision to make it easier for any criminal to enter in one entrance and out the other.

- This is also going to create additional traffic on White Tail Trail where there are several families along there that have young children that play in their yards when the weather permits. And now it will be more of a danger to the children.
- I believe that the new Phase 3 will be a disadvantage to the existing home owners if they decide to sell their home in the future. When a potential buyer sees larger lots and newer larger homes based on the 19 new proposed home sites they will be less likely to consider the smaller older houses with smaller lots.
- The developer indicated that he is leaving a 30'foot buffer of trees between Phase 2 and Phase 3 which is no real buffer in my estimation.
- The developer also indicated the home values in his previous developments in Kernersville have increased in property value for the existing homes in the subdivision but there is no guarantee that this will happen in Deer Path.
- At the meeting to introduce the proposal to the neighborhood the developer was asked if he would be willing to extend the County waterline further down White Tail Trail. He indicated that cost would be prohibitive. I would encourage the Planning Board to request that the County extend the waterline through the remainder of the neighborhood.

### Sean Stewart, 9513 White Tail Trail, Kernersville, NC 27284

- When I bought my house three years ago I did not realize there would ever be anything beyond that circle at the end of White Tail Trail and that is the reason why I bought my home. We wanted to live on a dead end road so my kids can ride bikes and play safely.
- If you allow more traffic on that road it's going to be very dangerous for me to get in and out of my driveway. I suspect that the new road for the new neighborhood is going to be wider than what White Tail Trail currently is and it's going to lead to an unsightly bottleneck where the circle at the end of White Tail Trail is currently located.
- At the neighborhood meeting, the developer said it was expensive to run the road all the way down to where our house is and that he didn't really want to do that to begin with. So it seems like there's some kind of compromise that can be found at least in this one area related to my opposition.
- We have not had that many issues with trees down and not been able to get out of the neighborhood. I have seen trees down and people had chainsaws and cut them and moved them pretty easily.
- The bigger issue I'm concerned about is that crime has been increasing in our neighborhood. The neighbor who lives beside me had his truck stolen last year. Other neighbors have had a lot of car break-ins and right now having one way in and one way out, most of us know who's coming in the neighborhood and who's leaving. I'm afraid that if White Tail Trail is connected to Goodwill Church, we are going to have a much worse problem with crime with a lot of people coming through the neighborhood.

#### **WORK SESSION**

During discussion by the Planning Board, questions were asked concerning:

• How wide the new road will be compared to White Tail Trail.

- Whether staff sees any safety issues with the road in terms of speed.
- Has any study indicated that the more entrances you have, the more crime is encouraged?
- Where do we draw the line of keeping the agriculture land?

In response to questions by the Board, the following comments were provided:

- The existing street width is 18 feet and the proposed street width for the new streets is 20 feet.
- In terms of speeding, with narrower streets you get a decrease in speed.
- The UDO requires stub streets to be extended into the new subdivision unless there are topographic issues like stream crossings. This was put in the ordinance for public safety response.
- With respect to the stub street that is being proposed to the north, we have an obligation
  to ask for that to happen because that land could develop under the current AG zoning
  that is there now for a subdivision, and we would want interconnectivity here. In our
  review, we have the responsibility to find a place on that vacant property where there is
  good topography so that the street network can potentially continue if further
  development does happen sometime in the future.

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: Clarence Lambe

VOTE:

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

AGAINST: None EXCUSED: None

A. Paul Norby, FAICP

Director of Planning and Development Services



Turner Built Homes, LLC 8582 Sheppard's Run Dr. Kernersville, NC 27284

Please allow me to introduce myself, my name is Mike Turner with Turner Built Homes, LLC and we applied to re-zone 15.93 acres on the northern side of Deer Path Subdivision from Agricultural to Residential 30-S, as a phase III to the Deer Path Subdivision.

You are being cordially invited to attend an informational meeting on December 14, 2017 at the Kernersville Community house located at 405 Salisbury St. Kernersville, NC 27284 at 6:30PM where the developer can provide you with detailed information of the proposed phase 3 and will be available to answer any questions.

Sincerely,

Mike Turner

11/27/17

F-1573 Attachment B

	5:00	In Sh	1001
	Jign .		
25 - 10 - 10 - 10 - 10 - 10 - 10 - 10 - 1	Name	Phone	email
	Judy Townsend	336-68-102	2 N/A
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	angela Miller Roger Hoors	356-595-3502	
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Reynolds Joyce H PO BOX 2536 Kernersville NC 27285

# Item discussed at the community outreach meeting on December 14, 2017 for the proposed phase, III to Deer Path Subdivision.

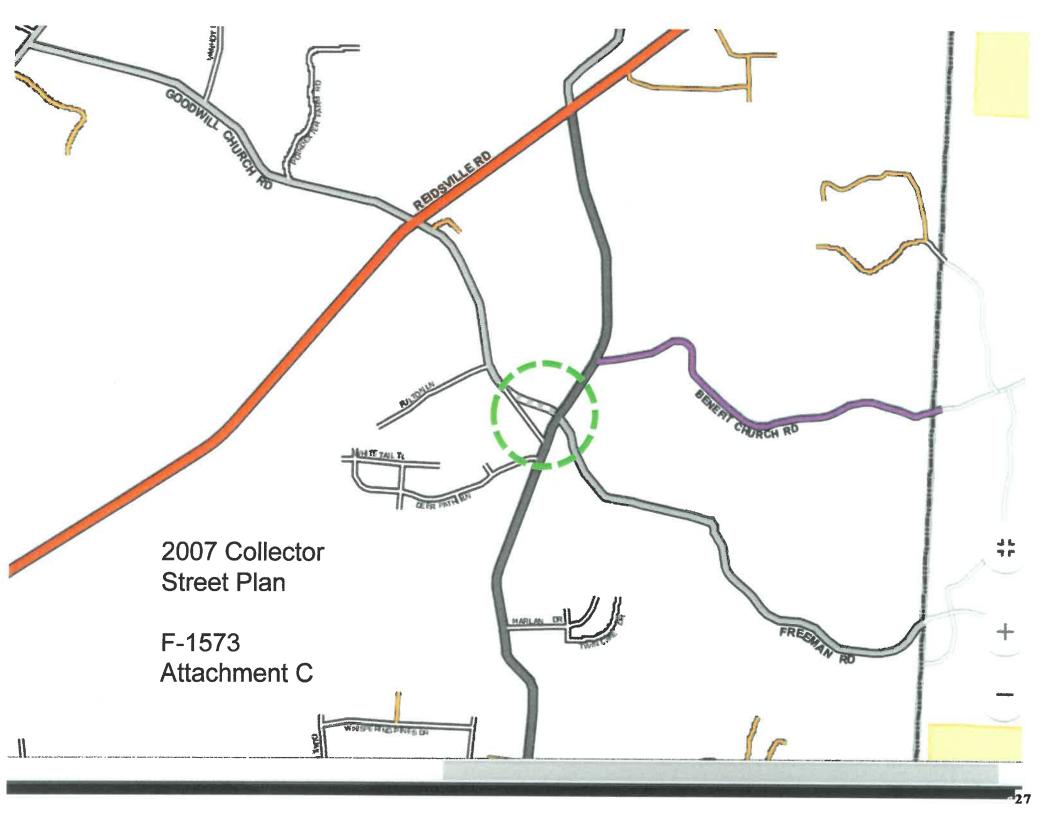
### The presentation portion of the meeting included.

- Will Create 20 RS/30 Building lots with an expected yield of 19 Lots
- All Construction will require a minimum of Brick or Stone Front Construction.
- No two homes will have the same or similar elevations, making this a unique community.
- This will create a 2<sup>nd</sup> entry and exit for Deerpath thus reducing traffic on Deerpath Ln.
- New home prices will begin in the Mid. \$200,000's.
- Other communities that we have competed in Kernersville include Sheppard's Run and Phase, III to Sheffield Place.

### Items of concern that were that raised from the attendees.

- Some of the people that live at the end of White Tail Trail were concerned about the loss of privacy.
  - o Reply: Our plan is drawn to include leaving a perimeter tree buffer on the boundary, there will not be a clear cutting of the trees with mass grading of the land, I invited the attendees to visit Sheppard's Run and Phase III of Sheffield Place subdivisions that I was responsible for developing, to see how we try to preserve privacy.

- Others that live on white Tail Trail were concerned about the increase in traffic being that their children are currently able to play at the end if the stub street.
  - Reply: With White Tail Trail being connected through to Goodwill Church Rd. it will add a 2<sup>nd</sup> main road connection for Deer Path. This will reduce the overall traffic count of:
    - (60 homes x 9 trip per house per day is 540 trips per day that go through one entrance). to
    - (19 additional homes = 79 homes x 9 trip per house per day is 711 trips per day divided by two entrances = 355.5 per entrance).
- The subject of the community pool, which is currently in need of deferred maintenance.
  - Reply: I expressed that phase 3, has no rights to the pool unless invited by the community, and offered if invited that as the developer I would provide for the 1<sup>st</sup> years membership fee of \$300.00 for each house built and sold for the new owner, which would be an investment in the pool of \$5,700.00.
- The concern of affect to their property value
  - Reply: I encouraged them to look in to the effect that Sheppard's Run and Phase, III Sheffield Place, had on the surrounding properties. I sited as an example a property in Sheffield Place phase one purchased in 2011 for \$185,000.00 just sold for \$217,500.00 which is a 17.6% increase.
- Concern of the ability to compete with new construction if they wanted to sell their property
  - Reply: With our planned market price point of the Mid \$200,000.00, our home prices will be slightly high than the homes in Deer Path, so I feel the affect should be minimal if their homes have been kept in good repair.
- One property owner wanted to continue the enjoyment of having farm land in their back yard
  - o Reply: We could not offer a reply



### Scott and Wendy Bouton 9349 Deer Path Ln Kernersville, NC 27284

January 10, 2018

Gary Roberts PO Box 2511 Winston-Salem, NC 27102

Docket # F-1573

Dear Mr. Roberts,

Wendy and I are writing this regarding the rezoning case # F-1573. The property in discussion is located at the corner of Piney Grove Rd and Goodwill Church Rd. It has been rather discouraging seeing the rezoning meeting being scheduled at 4:30 in the afternoon keeping many working folks from being able to attend. We are under no delusion that our opposition to the rezoning will change the outcome. At this point, the county has already looked at the application and this meeting is simply a formality. With that being said, Wendy and I still need to voice our opposition to this rezoning from agricultural to residential.

When we were first made aware of the intention to rezone, the initial thought was our property currently backs up to trees. This provides both beauty and privacy for our home. We do not want to see the wooded area behind our home be cut and in its' place have a home facing the back of our property. However, as personal as that point is to our family, we do understand that is no reason to halt rezoning. We can control what we own and if the land is owned by someone else, anything can happen.

The point that is very frustrating, and our point of contention, is what this does to the value of current homes in the Deer Path Subdivision. Now our household was represented in the Turner Homes meeting to discuss the intention to add the "3rd phase" to Deer Path. The value of homes that appear to be coming to this 3rd phase are going to be valued at ~\$60,000 above what the current homes in Deer Path are valued with essentially the same specs. As a current homeowner, we are faced with two options. The first option is, in order to keep our current home value or possibly gain a few dollars, we will need to invest thousands of dollars to completely update our home. That investment represents dollars that we will never see as we are spending money just to stay whole. The other option is to keep the homes as they are and see our home values drop. Either way, the current homeowners lose so that the builder, current landowner, and county can make money.

We realize that with issues such as this rezoning, the county looks at what this will bring in regards to an added tax base. Because of this reason, we feel this is a losing battle for the current homeowners in Deer Path. This development has not had a new house built in over 20 years and the statements made by Mr. Turner that this is to bring any benefit to the current residents is simply disingenuous. We are a small neighborhood with NO through traffic. I guess that is about to change!! Our family's last home was involved in an Imminent Domain issue. We saw the value drop and the "fair value" offered was not what the home was worth prior to the announcement of the upcoming plans. Wendy and I just took our losses and moved on. This is beyond discouraging that we are now facing a similar thing. We take pride in our home and spend a significant amount each year for upkeep. I believe our home to be kept very well, but it is still a 28 year old home. The 60+ residents of Deer Path are all going to pay with a loss in property value for this supposed "benefit" to the community.

Thank you,

Wendy Bouton Scott Bouton City-County Planning Board Forsyth County & Winston Salem PO Box 2511 Winston-Salem, NC 27102

January 10, 2018

#### RE: Docket # F-1573

Dear Planning Board members,

I am opposed to the rezoning petition made by Shirley Hester (and Turner Built Homes) for the following reasons:

1. The Deer Path neighborhood has been a private community for 28 years. No one who lives here wants a new neighborhood connecting to the roads in our neighborhood. I suspect the people in the proposed community would prefer to be private as well. The developer has told us he has no choice but to connect to our roads, even though he doesn't want to. My hope is that you will keep the neighborhoods separate.

When my family bought our house three years ago, we knew the farms around us would eventually be developed. We are not opposed to that. Our concern is that expanding our neighborhood with houses that don't look like ours will destroy the character that caused us to move here in the first place.

2. Currently, White Tail TrI has a circle at the end of the road. No one who bought a house near the end of this road, including me, ever expected the circle to be connected to a main road. My house was marketed as being on a dead-end, which is why I bought it. I have included a picture for you to see this. It makes no sense to change a private circle into a through road.

The developer told our community he will not be able to build a home where White Tail Trl currently ends. I made a quick change to his community plan showing a suggested amendment. The image is attached to this message. Basically, my idea is to put a circle at the end of his proposed neighborhood that stops at the last house. If the developer wants, he could sell the unbuildable lot with the lot for the last house, which would create a natural buffer between the two circles.

- 3. Removing the circle and extending White Tail Trl to Goodwill Church Rd will make my home and those around it less desirable to buyers. For example, I was willing to drive 45 minutes to work and pay more for my house, specifically because it was located on a dead-end street. We moved from a crime-ridden 4-lane road in Richmond, Virginia to the Deer Path neighborhood three years ago. The last thing my family wants is traffic whizzing by our house.
- 4. White Tail Trl is narrower than Deer Path Ln and doesn't seem to have been designed for the proposed traffic volume. I expect the road that is being planned will be wider, causing an unsightly bottleneck near my house. White Tail Trl is only wide enough for one car. Connecting it to Goodwill Church Rd will make it dangerous to back out of my driveway.

- 5. An extension of White Tail Trl is not needed to alleviate traffic on Deer Path Ln. The developer has stated that Deer Path Ln is congested, but that's completely false. I have never seen more than two cars at the intersection of Deer Path and Piney Grove. I also have never heard of any car accidents there.
- 6. Crime has been increasing rapidly in our neighborhood, with my neighbor having his truck stolen last year and others have dealt with numerous car break-ins. Converting the neighborhood into a loop will cause the number of strangers driving through to rise, which will make it easier for some to steal packages and mail from our houses.
- 7. The intersection of Piney Grove Rd and Goodwill Church Rd is already dangerous. There have been numerous car accidents there, one leading to the death of our friend Frank Ingram. The planned extension of White Tail Trl will be 300 feet from this intersection and only exacerbate the problem.

All of these points lead to an overall lower quality of life and lower home values for the residents of the Deer Path community. My hope is that you'll prevent the rezoning of the property and wait for a better proposal. At the very least, I would like the circle at the end of White Tail Trl to be preserved so my kids can safely ride their bikes.

Sincerely,

Sean M. Stewart, Ph.D. 9513 White Tail Trl Kernersville, NC 27284

(804) 399-3635 sean.stewart.phd@gmail.com





