

**BRIEFING
DRAFT**

March 1, 2018

Item #1-A thru D

Zoning Map Amendment

F-1573

FORSYTH COUNTY
BOARD OF COMMISSIONERS

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

SUBJECT:-

- A. Public Hearing on Zoning Map Amendment of Shirley Hester From AG to RS30-S (Residential Building, Single Family) (Zoning Docket F-1573)
- B. 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

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

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

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____
 County Manager

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 AG to RS30-S (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 Deer Path, 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 Hester.

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 Deer Path, Phase 3. 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		
Subject Property	PIN # 6889-64-8358		
Address	The undeveloped site does not currently have an address assignment.		
Type of Request	Special use rezoning from AG to RS30-S		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from AG (Agricultural – 40,000 sf minimum lot size) to RS30-S (Residential, Single Family – 30,000 sf minimum lot size – special use zoning). The petitioner is requesting the following use:</p> <ul style="list-style-type: none"> • Residential Building, Single Family 		
Neighborhood Contact/Meeting	See Attachment B for a summary of the petitioner’s neighborhood outreach efforts.		
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.		
GENERAL SITE INFORMATION			
Location	Southwest side of Goodwill Church Road west of Piney Grove Road		
Jurisdiction	Forsyth County		
Site Acreage	± 15.93 acres		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	AG	Undeveloped property
	East	RS40	Undeveloped property
	South	RS30	Single family homes
	West	RS30	Single family homes
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?		
	Yes, the proposed use of Residential Building, Single Family is a permitted use on all of the adjacent properties.		

Physical Characteristics	The eastern portion of the site along Goodwill Church Road has been farmed. The majority of the site is heavily wooded. The site has a moderate slope downward toward the southwest.					
Proximity to Water and Sewer	The site has access to public water service but does not have access to public sewer.					
Stormwater/ Drainage	The proposed new streets will utilize a ditch cross section for stormwater management.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The site has generally favorable topography and although it has access to public water, it does not have access to public sewer service. Depending upon the site's capability to accommodate septic systems, the site is adequate for the proposed single family residential development.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1457	AG to RS40	Approved 4-10-2006	Directly northeast	8.37	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Goodwill Church Road	Minor Thoroughfare	461'	1,600	15,800		
Stag Meadow Lane	Local Street	50'	NA	NA		
White Tail Trail	Local Street	50'	NA	NA		
Proposed Access Point(s)	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 property, Stag Meadow Lane and White Tail Trail.					
Planned Road Improvements	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 <i>2007 Collector Street Plan</i> , the intersection of Goodwill Church Road and Piney Grove Road is recommended for realignment with Freeman Road (see Attachment C). The Winston-Salem/Forsyth County Planning Board endorsed the Collector Street Plan on July 12, 2007 and the Winston-Salem Urban Area Transportation Advisory Committee adopted the plan on September 20, 2007.					
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: AG</u> 15.93 acres x 43,560 sf / 40,000 sf = 17 units x 9.57 (SFR Trip Rate) = 163 Trips per Day</p> <p><u>Proposed Zoning: RS30-S</u> 19 lots x 9.57 (SFR Trip Rate) = 182 Trips per Day</p>					
Sidewalks	There are no sidewalks located in the general area. Sidewalks are not required in new subdivisions within the jurisdiction of Forsyth County in the Rural Growth Management Area 5.					

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.
SITE 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 style="list-style-type: none"> Chapter B, Article II, Section 2-1.2 (D) RS30 Residential Single Family District Chapter D, Article IV, Major Subdivisions
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy 2030 policies: See comments below.
	(B) Environmental Ord. NA
	(C) Subdivision Regulations Yes
Analysis of Site Plan Compliance with UDO Requirements	The proposed site plan is for a 19 lot single family subdivision. Public streets are proposed and the layout exceeds the minimum connectivity ratio requirement of the UDO. The lots will be served with public water but not public sewer service. The site plan meets UDO requirements.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 5 - Rural Area
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> Encourage subdivisions that conserve open space and rural vistas. Do not rezone property to more intense districts.
Relevant Area Plan(s)	<i>Northeast Rural Area Study (2012)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> Encourage rurally-compatible design and landscaping of residential development to minimize the impact of new developments on the community's rural and scenic character. Minimize the rezoning of land to more intensive residential development.
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)	(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	See comments below.	
	<p>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.</p> <p>The site is located within the Rural GMA and within the <i>Northeast Rural Area Study</i>. In both of these documents, the <i>general</i> 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 <i>site specific</i> observations. First, the subject property is <u>not</u> positioned in the middle of a large uniformly zoned area of AG. As noted previously, the site <u>is</u> 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.</p> <p>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.</p>	
	CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal		Negative Aspects of Proposal
The request is consistent with the RS30 district purpose statement.		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.
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.		
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.		

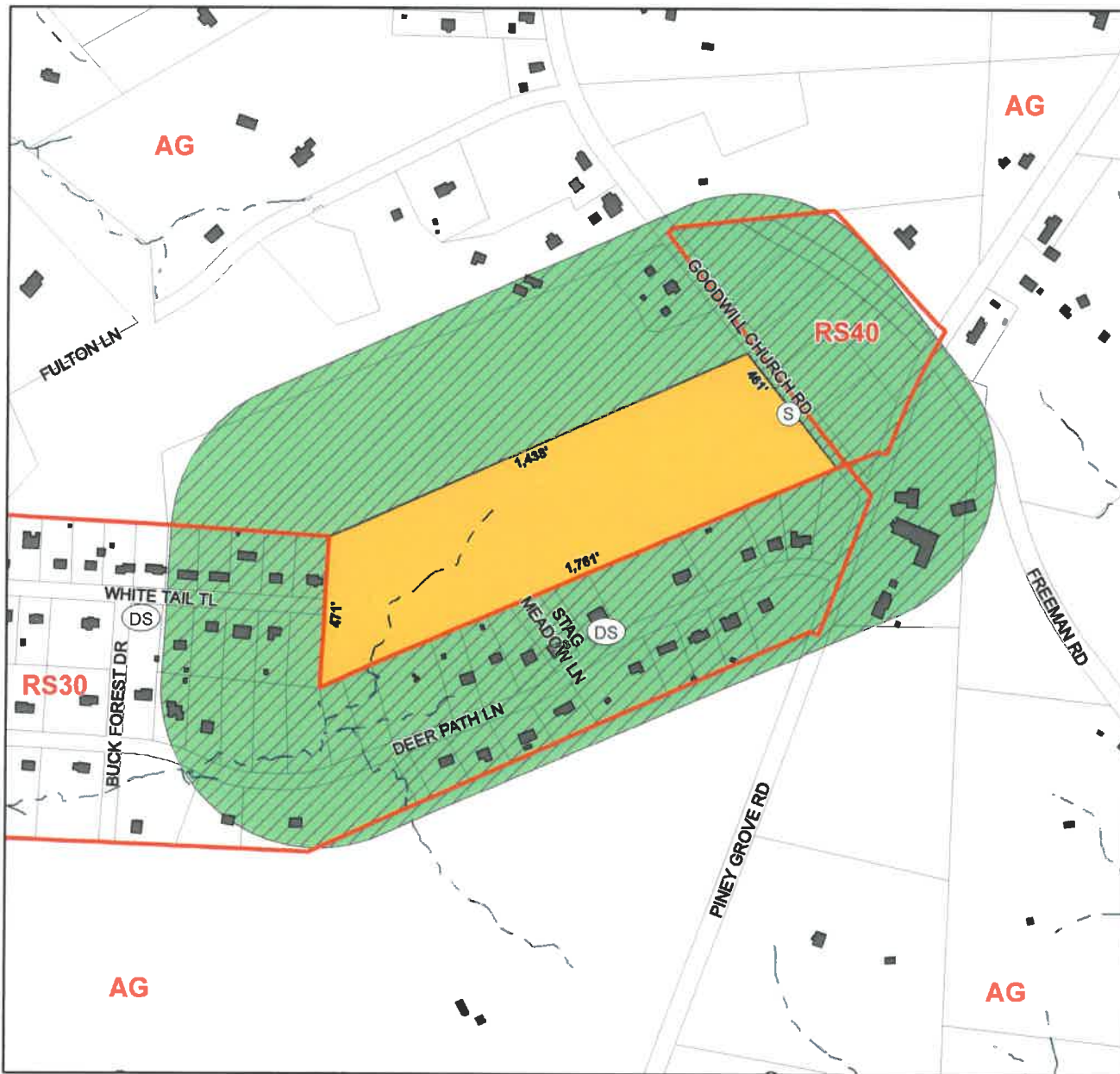
- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall obtain all necessary permits (including stormwater) from the NC Division of the Environment and Natural Resources (DENR).
 - b. Developer shall obtain a driveway permit from NCDOT.

- **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.**





DOCKET #: F1573

PROPOSED ZONING:
RS30-S

EXISTING ZONING:
AG

PETITIONER:
Shirley Hester

-  Property included in zoning request.
-  500' mail notification radius. Property not in zoning request.

SCALE: 1" represents 500'

STAFF: Roberts

GMA: 5

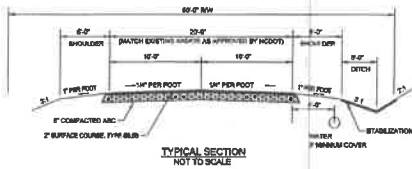
ACRES: 15.93

NEAREST BLDG: 15' west

MAP(S): 6889.04



Printed: 12/13/2017



REVIEW INFORMATION		SITE SIZE AND COVERAGES		BUFFERS/ADJ.	
TYPE OF REVIEW	PRELIMINARY SUBDIVISION	TOTAL ACREAGE	18.88 ACRES	ADJOINING ZONING	R30
SPECIAL USE PERMITTING		BUILDING TO LAND	8.66 %	TYPE REQUIRED	RES
APPROXIMATION	FORSYTH COUNTY	PAVEMENT TO LAND	36.32 %	WIDTH PROVIDED	30 FT.
PURPOSE/STATED: THE PURPOSE OF THE ORIGINAL SUBMITTAL WAS FOR:	RESIDENTIAL FAMILY SUBDIVISION	OPEN SPACE	54.02 %		
	RESIDENTIAL FAMILY SUBDIVISION	TOTAL	100 %		
		MAXIMUM BUILDING HEIGHT	20		
INFRASTRUCTURE		ZONING		STREET INDICATOR	
WATER	X	EXISTING ZONING	R30	NUMBER OF SEGMENTS	0
SEWER	X	PROPOSED ZONING	R30	NUMBER OF MODELS	0
STREETS	X	PROPOSED USES	RESIDENTIAL BLDG, SINGLE FAMILY	SEGMENTS / MODELS	1 / 1
LINEAR FEET OF PUBLIC STREETS	8.100 FT				
OFF-STREET PARKING		DENSITY CALCULATIONS			
REQUIRED VISIT	RESIDENTIAL BLDG, SINGLE FAMILY	# OF UNITS OR USE	11		
REQUIRED VISIT	2 - RESIDENTIAL BLDG	DENSITY	1.2 UNITS/ACRE		
REQUIRED PARKING	8 SPACES				
PARKING PROVIDED	8 SPACES				

SITE DATA

OWNER: PLS 688-64-2386.00
4700 KESTER HILL ROAD
581 RILEY, LESTER
808 PRESERVE ROAD
BELLEVILLE, NC 27808

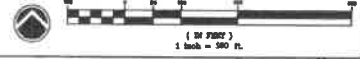
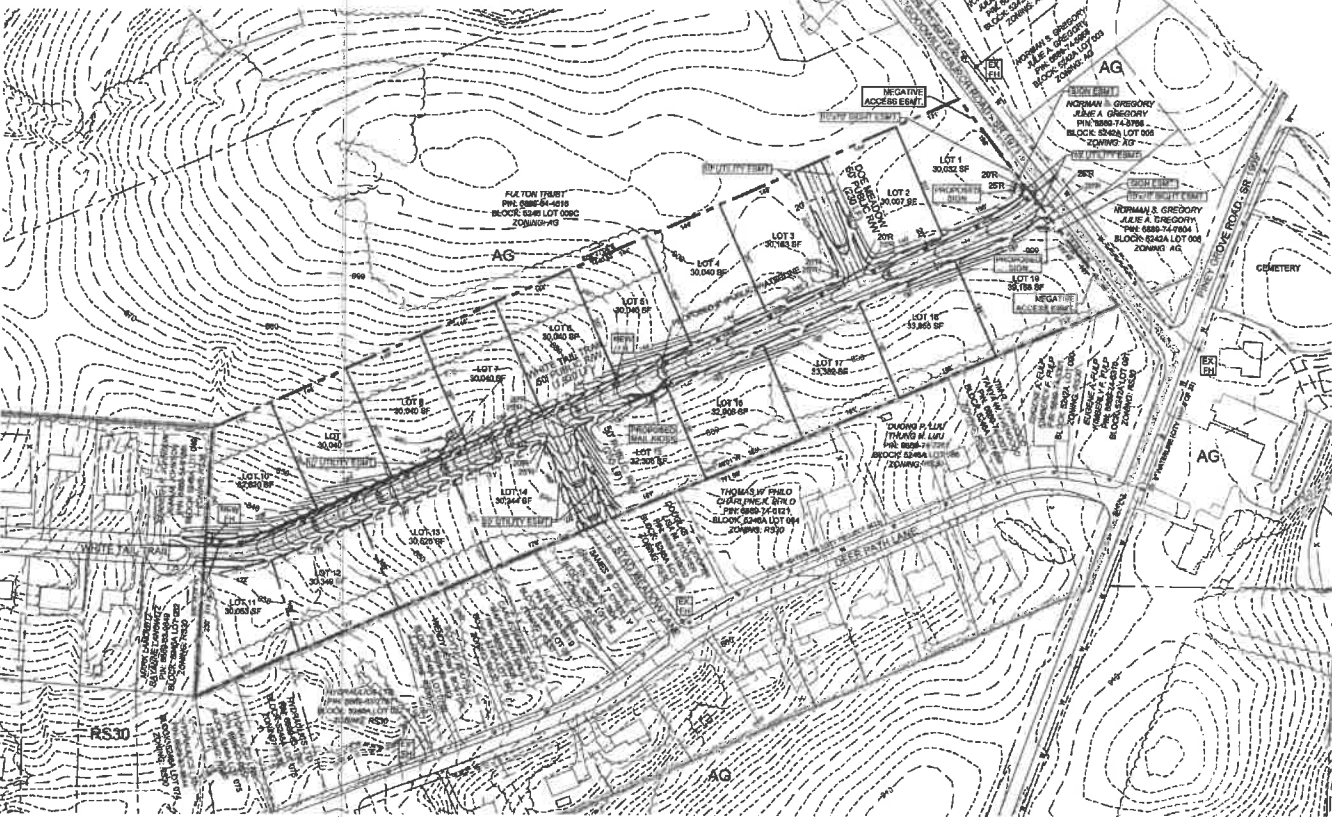
DEVELOPER: TURNER BUILT HOMES, LLC
400 SHERRILL BLVD DRIVE
KEMPERSVILLE, NC 27844
PHONE: (505) 794-2377
PHONE: (505) 794-2377
FAX: (505) 794-8888
STEVE H. CANNON, P.E.
steve@turnerbuilt.com

ENGINEER: ALLIED DESIGN, INC.
4700 KESTER HILL ROAD
WINSTON-SALEM, N.C. 27190
PHONE: (336) 762-2277
PHONE: (336) 762-2277
FAX: (336) 762-8888
STEVE H. CANNON, P.E.
steve@alldesign.com



Allied Design, Inc.
CIVIL ENGINEERING & LAND SURVEYING
4700 KESTER HILL ROAD
WINSTON-SALEM, NORTH CAROLINA 27190
Phone: (336) 762-2277
Fax: (336) 762-8888
www.alldesign.com

FIRM LICENSE C-1891



PRELIMINARY SUBDIVISION PLAN
FOR PLANNING BOARD REVIEW ONLY

DEER PATH, PHASE 3
GOODWILL CHURCH HOMES, LLC
TURNER BUILT HOMES, LLC
FORSYTH COUNTY, NORTH CAROLINA

PROJECT NO.: 17-076
DRAWN BY: HJK
CHECKED BY: GAC
DATE: 10/06/17

DATE	DESCRIPTION
10/06/17	PRELIMINARY SUBDIVISION PLAN
10/06/17	REVISIONS FOR PLANNING BOARD REVIEW
10/06/17	REVISIONS FOR PLANNING BOARD REVIEW
10/06/17	REVISIONS FOR PLANNING BOARD REVIEW

PRELIMINARY SUBDIVISION PLAN

SHEET C1

F-1573 Revised File Copy

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)

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

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-Site⁵
Landfill, Land Clearing/Inert Debris, greater than 2 acres

⁵*SUP not required if requirements of Section [B.2-5.2\(A\)](#) 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: hambyme@mapforsyth.org

Street Names/Addresses (Stacy Tolbert) -336. 747.7497 Email: tolbersy@mapforsyth.org

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,

11/29/17

Mike Turner

F-1573 Attachment B

Sign In Sheet

	<u>Name</u>	<u>Phone</u>	<u>email</u>
1.	Judy Townsend	336-698-1022	N/A
2.	Tracey John Scheffer	336-595-9881	-
3.	Wendy Bouton	336-595-8266	
4.	Ron Ramo	614 561 6601	
5.	Angela Miller	336-817-3732	angela.ackley29@yahoo.com
6.	Roger Hoots	336-595-3502	
7.	Mark & Rayanne Lannette	336-314-1581	
8.	Sean Stewart	804-399-3635	
9.	ART KUHLMANN	336-392-8475	
10.	Sarah Care	336-681-7668	
11.	Drew & Rachael Anderson	336-706-0213	
12.	Christy & Jon Goodman	336-908-3698	goodmonchristy@gmail.com
13.	Charles R. Fulton	336-595-8604	☺
14.			
15.			
16.			
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24.			
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29.			
30.			
31.			
32.			
33.			

Hester Shirley L
5991 Reidsville Rd
Belews Creek NC 27009

Hawks Clinton Don Hawks Phyllis
3098 Buck Forest DR
Kernersville NC 27284

Hydraulics Ltd
202 Mackenan DR
Cary NC 27511

Vamer James A
9533 White Tail TRL
Kernersville NC 27284

Stewart Sean M Stewart Kristina A
9513 White Tail Trl
Kernersville NC 27284

Cumming Bruce A Cumming Debra
925 Madison Place Cir
Kernersville NC 27284

Hydraulics Ltd
202 Mackenan DR
Cary NC 27511

Hydraulics Ltd
202 Mackenan DR
Cary NC 27511

Sauls Carl Edward Sauls Mary Brown
9345 Deer Path Ln
Kernersville NC 27284

Fulton Margaret
9154 Goodwill Church RD
Kernersville NC 27284

Kung Wrenfried Kung Sandra R
2986 Piney Grove RD
Kernersville NC 27284

Johnson Norman E Johnson Cindy
9312 Deer Path LN
Kernersville NC 27284

Ross James T Ross Deborah L
9308 Deer Path LN
Kernersville NC 27284

Townsend Judy Hedgecock Louellan
198 Westbridge Rd
Winston Salem NC 27107

RAMOS RONALD A
9378 Deer Path Ln
Kernersville NC 27284

Hayes Kelly
9528 White Tail TRL
KERNERSVILLE NC 27284

Morales Aaron A Morales Tiffany A
9372 Deer Path Ln
Kernersville NC 27284

Doskocil Mark Doskocil Lisa
9393 Deer Path LN
Kernersville NC 27284

Wright Ronald Anthony Wright Carol
Smith
9389 Deer Path LN
Kernersville NC 27284

Miller Gregory D Miller Angela R
9385 Deer Path Ln
Kernersville NC 27284

Lanowitz Mark Lanowitz Rayanne
9504 White Tail TRL
Kernersville NC 27284

Clark Hiwathia R Clark Shelia A
9537 White Tail TRL
Kernersville NC 27284

Baxter Newton S Baxter Sally
9529 White Tail TRL
Kernersville NC 27284

Scheffer John C Scheffer Grace A
9525 White Tail TRL
Kernersville NC 27284

Goodmon Jonathan G Goodmon Christy L
9517 White Tail TRL
Kernersville NC 27284

The Fulton Trust Fulton Charles R
9174 Goodwill Church RD
Kernersville NC 27284

Hoots Roger C Hoots Judy J
9340 Deer Path LN
Kernersville NC 27284

Bouton Scott C Bouton Wendy Denny
9349 Deer Path LN
Kernersville NC 27284

Lintz Wesley A Lintz Johnna S
9332 Deer Path LN
Kernersville NC 27284

Philo Thomas W Philo Charlene K
9321 Deer Path Ln
Kernersville NC 27284

Gilmore Mark Edward Gilmore Karen
Dean
9401 Deer Path LN
Kernersville NC 27284

Austin Andrew Bradford Austin Laura
Ann Mercado.
9524 White Tail TRL
Kernersville NC 27284

Place Kerry Place Cheryl J
9512 White Tail TRL
Kernersville NC 27284

Mitchco Inc
110 Shields Park DR, STE B
Kernersville NC 27284

Mann Steven C Mann Michelle R
9508 White Tail TRL
Kernersville NC 27284

Hydraulics Ltd
202 Mackenan DR
Cary NC 27511

Abell David Ellis Abell Sharon R
9521 White Tail TRL
Kernersville NC 27284

Anderson Andrew J Anderson Rachael L
9509 White Tail Trl
Kernersville NC 27284

FULTON TRUST
9174 GOODWILL CHURCH RD
KERNERSVILLE NC 27284

Gaither Terry Lee Gaither Tina
Lahier
5576 Fulton Ln
Kernersville NC 27284

Hydraulics Ltd
202 Mackenan DR
Cary NC 27511

Coley Phillip Adam Coley Rebekah
Caroline
9336 Deer Path Ln
Kernersville NC 27284

Patterson Matthew A Patterson Heidi
Bailey
9304 Deer Path LN
Kernersville NC 27284

Goodwill Baptist Church
3110 Piney Grove RD
Kernersville NC 27284

Morphies Johnny B
9204 Goodwill Church RD
Kernersville NC 27284

Norman Gregory S Norman Julie A
149 Calla Lilly LN
Kernersville NC 27284

Earnhardt Mark B Earnhardt Jo
9147 Goodwill Church RD
Kernersville NC 27284

Pitts Deborah
3180 Piney Grove RD
Kernersville NC 27284

Fulton Margaret
9154 Goodwill Church RD
Kernersville NC 27284

Norman Gregory S Norman Julie A
149 Calla Lilly LN
Kernersville NC 27284

Sedgefield Run Partners
7024 Smokerise LN
KERNERSVILLE NC 27284

Norman Gregory S Norman Julie A
149 Calla Lilly LN
Kernersville NC 27284

Pitts Deborah
3180 Piney Grove RD
Kernersville NC 27284

Duke Power Co
422 S Church ST
Charlotte NC 28202

Murray John H
6580 Kernersville RD
Bellevue Creek NC 27009

Dudley William L Dudley Debra P
5526 Fulton LN
Kernersville NC 27284

Barras Lisa
9341 Deer Path LN
Kernersville NC 27284

Martin June
9328 Deer Path LN
Kernersville NC 27284

Cooper Douglas W Cooper Lisa M
9333 Deer Path LN
Kernersville NC 27284

Thornton Donna S
5615 Fulton LN
Kernersville NC 27284

Luu Duong P Luu Thung N
9313 Deer Path LN
Kernersville NC 27284

Livengood Tim R Livengood Tanya W
9309 Deer Path LN
Kernersville NC 27284

Fulp Eugene A Fulp Kimberly F
9305 Deer Path LN
Kernersville NC 27284

Norman Gregory S Norman Julie A
149 Calla Lilly LN
Kernersville NC 27284

Fulp Eugene A Fulp Kimberly F
9305 Deer Path LN
Kernersville NC 27284

Norman Gregory S Norman Julie A
149 Calla Lilly LN
Kernersville NC 27284

Norman Gregory S Norman Julie A
149 Calla Lilly LN
Kernersville NC 27284

Fulp Jimmy L Fulp Brenda W
3185 Piney Grove RD
Kernersville NC 27284

Pltts Deborah Freeman
3180 Piney Grove RD
Kernersville NC 27284

Bull Patricia Bull Michael Scott
3255 Piney Grove RD
Kernersville NC 27284

Care Michael A Care Sarah C
9516 White Tail TRL
Kernersville NC 27284

Atkinson Drew A
9380 Deer Path LN
Kernersville NC 27284

Mink J Ross
9381 Deer Path LN
Kernersville NC 27284

Lanowitz Mark Lanowitz Rayanne
9504 White Tail TRL
Kernersville NC 27284

Kuhlmann Arthur W
9505 White Tail TRL
Kernersville NC 27284

Johnson Kenneth R Johnson Jean M
9501 White Tail TRL
Kernersville NC 27284

O'Reilly James M O'Reilly Gretchen T
9337 Deer Path LN
Kernersville NC 27284

Hatley Jimmy Lewis
9320 Deer Path Ln
Kernersville NC 27284

FULTON TRUST
9174 GOODWILL CHURCH RD
KERNERSVILLE NC 27284

Mcbride Christy Lee Mcbride Eric
Brandon
9316 Deer Path Ln
Kernersville NC 27284

Norman Gregory S Norman Julie A
149 Calla Lilly LN
Kernersville NC 27284

Earnhardt Mark B Earnhardt Jo Ellen
9147 Goodwill Church RD
Kernersville NC 27284

Norman Gregory S Norman Julie A
149 Calla Lilly LN
Kernersville NC 27284

Nelson Paul Byron Nelson Sandra
2450 Piney Grove RD
Kernersville NC 27284

Goodwill Baptist Church
3110 Piney Grove RD
Kernersville NC 27284

Hannold Jason W Hannold Arena D
9306 Benefit Church Rd
Kernersville NC 27284

Greene Charles S Greene Frankie L
9532 White Tail TRL, APT Feb-00
Kernersville NC 27284

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.

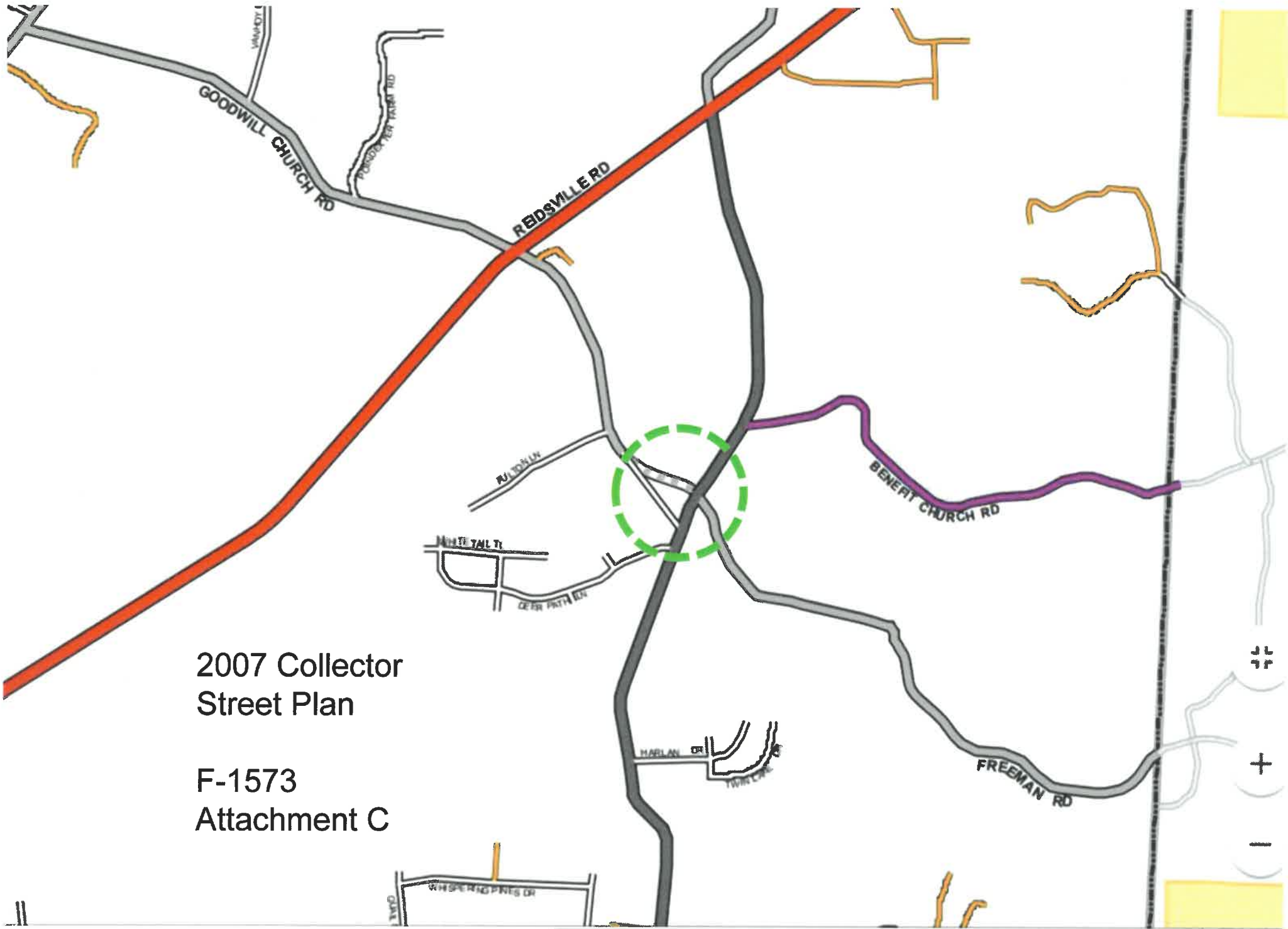
The presentation portion of the meeting included.

- 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 2nd 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.**
 - 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 2nd 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 1st 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**
 - Reply: We could not offer a reply



2007 Collector
Street Plan

F-1573
Attachment C

**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 Trl 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





X = lot not buildable

