DOCKET #: W3095
(continued from 2/10/11)

PROPOSED ZONING:
HB-S

EXISTING ZONING:
RS9

PETITIONER:
CHD Properties LLC
for property owned by Same

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRES: 4.77

NEAREST
BLDG: 7' southwest

MAP(S): 600834
March 23, 2011

CHD Properties, LLC
c/o Harvey Davis
300 South Martin Luther King, Jr. Drive
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-3095

Dear Mr. Davis:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

[Signature]

A. Paul Norby, FAICP
Director of Planning

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102
Harold Day, 1422 S. Main St., Winston-Salem, NC 27127
Preston Corbett, 1624 Briar Lake circle, Winston-Salem, NC 27103
Pat Rimron, 1620 Briar Lake Road, Winston-Salem, NC 27103
Allison Norton-Rimron, 1620 Briar Lake Road, Winston-Salem, NC 27103
Ed Crook, 3270 Peters Creek Pkwy, Winston-Salem, NC 27127
Steve Causey, Allied Design, 4720 Kester Mill Road, Winston-Salem, NC 27103
Joseph Anderson, 2615 Sparkling Place, Winston-Salem, NC 27103
Betty Kiger, 2561 Lockwood Drive, Winston-Salem, NC 27103
Mary Council, 2701 Lockwood Dr, Winston-Salem, NC 27103
Jeannette M. Adams, 1201 Kenwood Street, Winston-Salem, NC 27103
Kevin Davis, 1757 Huntington Woods Court, Winston-Salem, NC 27103
Constance Luke, 2509 Huntington Woods Dr., Winston-Salem, NC 27103
Paul Stevens, 2583 Lockwood Drive, Winston-Salem, NC 27103
Kathryn Kiger, 2583 Lockwood Drive, Winston-Salem, NC 27103

W-3095 March 2011
**ACTION REQUEST FORM**

**DATE:** March 23, 2011  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of CHD Properties, LLC

**SUMMARY OF INFORMATION:**

Zoning map amendment of CHD Properties, LLC from RS9 to HB-S (Motor Vehicle, Repair and Maintenance; and Motor Vehicle Storage Yard): property is located on the southwest corner of Stratford Road and Jonestown Road (Zoning Docket W-3095).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** DENIAL  
**FOR:** WESLEY CURTIS, ARNOLD KING, BARRY LYONS, PAUL MULLICAN, ALLAN YOUNGER  
**AGAINST:** CLARENCE LAMBE, BRENDA SMITH  
**SITE PLAN ACTION:** CONFORMS TO THE REQUIREMENTS OF THE UDO
CITY ORDINANCE - SPECIAL USE

Zoning Petition of CHD Properties, LLC, Docket W-3095

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 HB-S (Motor
Vehicle, Repair and Maintenance; and Motor Vehicle Storage Yard) the zoning classification of
the following described property:

PIN # 6803-55-2161

Section 2. This Ordinance is adopted after approval of the site plan entitled Davis Garage
and identified as Attachment "A" of the Special Use District Permit issued by the City Council
the ______ day of ______________________, 20____ to CHD Properties, LLC.

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 Davis Garage. 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 CHD Properties, LLC, (Zoning Docket W-3095). 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 HB-S (Motor Vehicle, Repair and Maintenance; and Motor Vehicle Storage Yard), approved by the Winston-Salem City Council the _____ day of __________________, 20____" and signed, provided the property is developed in accordance with requirements of the HB-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. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem. Relocation or installation or any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at a minimum, and may require a Site Plan Amendment.
  b. Developer shall obtain a driveway permit from the NCDOT and the City of Winston-Salem Public Works Department. Required improvements include:
     - Install sidewalk along Stratford Road.
  c. Developer shall cordon off all areas shown on the site plan as stream buffer, tree protection or undisturbed areas. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. Developer shall record a cross access easement to PIN # 6803-54-1991 and 6803-55-7032.
  b. The proposed building shall be constructed in substantial conformance with the submitted elevations labeled “Exhibit A” as verified by Planning staff.
• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
  a. All required improvements of the NCDOT and City of Winston-Salem driveway permits shall be completed.

• OTHER REQUIREMENTS:
  a. Any freestanding signage shall be limited to one monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.
<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3095</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>CHD Properties, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #s 6803-55-2161</td>
</tr>
<tr>
<td>Address</td>
<td>2710 South Stratford Road</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special use rezoning to HB-S</td>
</tr>
</tbody>
</table>

**Proposal**
The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS9 (Residential, Single Family District; 9,000 sf minimum lot size) to HB-S (Highway Business District). The petitioner is requesting the following uses:
- Motor Vehicle, Repair and Maintenance; and Motor Vehicle Storage Yard

**Continuance History**
The request was continued from the February 10, 2011 Planning Board meeting to the March 10 meeting in order to reduce the size of the site, the number of requested uses and make some minor modifications to the site plan.

**Neighborhood Contact/Meeting**
According to an email received from the petitioner’s site plan preparer: “During this process the Davis’ attempted to notify their neighbors of their proposal and solicited input from their neighbors. We invited the nine adjacent property owners to attend a meeting on the property on January 20, 2011. Neighbors attended the meeting and mostly inquired about the nature of the project. They were advised of the rezoning process and dates. They expressed curiosity about the proximity of the development to their properties – their locations were identified on the surrounding maps. They all appeared to have known the Davis family for a long time and no-one outwardly expressed opposition to the request”. On March 7, 2011 the petitioner’s site plan preparer also hand delivered the site plan and building elevations to 3 residents of Huntington Woods neighborhood.

**Zoning District Purpose Statement**
The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. However, the district is not intended to encourage or accommodate strip commercial development. Developments in this district generally have substantial front setbacks. This district is intended for application in Growth Management Areas 2 (Urban Neighborhoods), 3 (Suburban Neighborhoods), and 4 (Future Growth Area).
<table>
<thead>
<tr>
<th>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</th>
<th>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Staff is of the opinion that this request is consistent with most of the HB purpose statement, but staff believes this request would encourage strip commercial.</td>
</tr>
</tbody>
</table>

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Northwest side of Stratford Road southwest of Jonestown Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Southwest</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 4.77 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Existing single family home.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounded Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Northeast</td>
<td>HB-S &amp; RS9</td>
<td>Undeveloped land and office building</td>
</tr>
<tr>
<td></td>
<td>Southeast</td>
<td>LB-S &amp; RS9</td>
<td>Single family home and undeveloped land</td>
</tr>
<tr>
<td></td>
<td>Southwest</td>
<td>RS9</td>
<td>Single family home and undeveloped property</td>
</tr>
<tr>
<td></td>
<td>Northwest</td>
<td>RS9</td>
<td>Single family home and undeveloped property</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</th>
<th>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The automobile repair and storage related uses requested would not be compatible with surrounding uses. The subject property is surrounded by residentially zoned property, with the exception of the HB-S property to the north which is an attractively designed office-type, flex-space building with limited service type uses.</td>
</tr>
</tbody>
</table>

| Physical Characteristics | The subject property slopes down from Stratford Road to the approximate middle of the southwest property line. The rear portion of the property contains two ravines that drain toward the northwest corner of the site. It appears that a tributary of Little Creek runs through the northwest portion of the site (see comments below in the Stormwater/Drainage section). |

| Proximity to Water and Sewer | Public water and is available to the site. Sewer is available by pumping the sewerage on the site through a private force main across the adjacent property to connect to the public line in Jonestown Road. |

| Stormwater/Drainage | Location of perennial or intermittent stream(s) must be determined; stormwater study will be required. |
| Watershed and Overlay Districts | The site is not within a water supply watershed. |
In regard to physical constraints on the subject property, it appears there is at least one regulatory stream in the northwest corner of the site which would require a 30’ buffer on each side of said stream. The petitioner is advised to consult with either a qualified Division of Water Quality (DWQ) professional or a DWQ certified professional in order to determine the potential impacts to the site.

**SITE ACCESS AND TRANSPORTATION INFORMATION**

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stratford Road</td>
<td>Major Thoroughfare</td>
<td>214’</td>
<td>16,000</td>
<td>42,000</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

One full access point onto Stratford Road is proposed.

**Planned Road Improvements**

The Comprehensive Transportation Plan recommends that Stratford Road be constructed as a four-lane cross section with raised median, curb and gutter, and sidewalks. Jonestown Road is recommended as a three lane section with wide outside lanes, curb and gutter, and sidewalks.

In addition, plans for the proposed Northern Beltway show additional right-of-way being needed along the frontage of the site.

**Trip Generation - Existing/Proposed**

Existing Zoning: RS9

4.77 acres x 43,560 / 9,000 = 23 units x 9.57 (SFR Trip Rate) = 220 Trips per Day

Proposed Zoning: HB-S

13,174 / 1,000 x 15.86 (Automobile Care Center Trip Rate) = 209 Trips per Day

**Sidewalks**

Sidewalks are required along Stratford Road.

**Transit**

Route 19 runs along Stratford Road.

**Connectivity**

Staff recommends the petitioner provide cross access easements to the adjacent properties to the north and to the south.

**Traffic Impact Study (TIS)**

A TIS was not required.

**Analysis of Site Access and Transportation Information**

As per NCDOT, the site plan shows the approximate line of future right-of-way needed for the proposed Northern Beltway. This property does not have to be dedicated at this time and future acquisition of this area may result in the loss of 12 parking spaces as noted on the site plan.

**CONFORMITY TO PLANS AND PLANNING ISSUES**

**Legacy GMA**

Growth Management Area 3 - Suburban Neighborhoods

**Relevant Legacy Recommendations**

- Revitalize and concentrate development in downtowns and existing commercial centers, maximizing the density in these areas rather than promoting growth at the suburban fringe.
- *Legacy* identifies Stratford Road as an Urban Boulevard. The purpose of Urban Boulevards is to: (1) create attractive urban gateways leading into downtown Winston-Salem; (2) concentrate jobs, retail
and higher density housing at selected points along these corridors; (3) promote high quality transit service and pedestrian access by increasing densities at specific locations along these corridors; and (4) incorporate design features that support pedestrian activity and give these corridors an urban look and feel.

**Relevant Area Plan(s)**   
*Southwest Suburban Area Plan* (2009)

**Area Plan Recommendations**
- The subject property is shown for Medium Density Residential Use (5-8 dwelling units per acre) on Map 7-Proposed Land Use. This would serve as a transitional use from Office use which is proposed on the southwest corner of South Stratford Road and Jonestown Road and single-family development to the south along Lockwood Drive.

**Addressing**
The existing house/towing office will retain 2710 South Stratford Road. The new building would be assigned 2714 South Stratford Road.

**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 Legacy?

No

**Analysis of Conformity to Plans and Planning Issues**
The *Southwest Suburban Area Plan* recommends office use on the corner of Jonestown Road and Stratford Road. Moderate density residential is recommended for the subject property. These land use recommendations were made by the Citizens Advisory Committee and recommended by the Planning Board to the City Council, which adopted the plan in 2008. The plan was developed with an understanding of the proposed beltway and the existing uses in the surrounding area. The proposed auto oriented commercial uses are inconsistent with both the Area Plan and the surrounding development pattern.

Concentrating commercial development at various nodes along major thoroughfares is preferred over linear strip commercial development with its multiple driveway cuts. Therefore, the area plan recommends that the Hillcrest and Somerset projects serve as the commercial nodes for the section of Stratford Road south of Hanes Mall Boulevard. More intense uses such as Motor Vehicle Repair could be located in the industrial zoning districts which span from Stratford Road to Griffith Road northeast of the site. Stratford Road carries a large volume of commuter traffic and one of the goals is to not impede the carrying capacity of this major thoroughfare by arbitrarily increasing the number of commercial destinations along this roadway.

In regard to the HB-S zoned property to the north of this site, it should be noted that it was supported by staff in part because combined with the specific site plan, the requested use (Building Contractor, General) would
operate more like an office in this situation. Staff sees no reason why this existing business could not serve as a good neighbor to future townhouses (as recommended for the subject site in the adopted area plan) as it does now to the existing single family homes in the area.

There is a large amount of undeveloped and underdeveloped property along this portion of Stratford Road. It was intended that the effort put into the recently adopted area plan will serve as a guide as to how the future of the important corridor unfolds.

### RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-2882</td>
<td>RS9 &amp; HB-S</td>
<td>Approved 9-5-06</td>
<td>Directly north</td>
<td>6.01</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2841</td>
<td>RS9 to HB-S</td>
<td>Withdrawn at 5-11-06</td>
<td>Subject property</td>
<td>4.77</td>
<td>Denial</td>
</tr>
<tr>
<td>W-1975</td>
<td>RS9 to HB-S</td>
<td>Approved 8-7-95</td>
<td>Directly north</td>
<td>2.99</td>
<td>Approval</td>
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</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>13,174 total sf</td>
<td>Southeastern portion of the site</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 spaces</td>
<td></td>
<td>66 spaces</td>
<td>Front, side and rear of proposed principal building</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>60’</td>
<td>1 story</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>85%</td>
<td>49.3%</td>
<td></td>
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</table>

- Chapter B, Article II, Section 2-1.3 (I) HB District

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Legacy policies:</td>
</tr>
<tr>
<td>(B) Environmental Ord.</td>
</tr>
<tr>
<td>(C) Subdivision Regulations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Analysis of Site Plan Compliance with UDO Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>The site plan complies with the requirements of the UDO.</td>
</tr>
</tbody>
</table>
## CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The request would allow for new commercial development.</td>
<td>The request is not in conformance with the recommendations of Legacy in regard to strip commercial development.</td>
</tr>
<tr>
<td></td>
<td>The request is inconsistent with the <em>Southwest Suburban Area Plan</em>.</td>
</tr>
<tr>
<td></td>
<td>The proposed uses would not be compatible with the general area.</td>
</tr>
<tr>
<td></td>
<td>This request would intensify the zoning at a location that is in close proximity to the beltway, and may lead to further strip commercial development along Stratford Road.</td>
</tr>
</tbody>
</table>

## 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. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem. Relocation or installation or any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at a minimum, and may require a Site Plan Amendment.
  b. Developer shall obtain a driveway permit from the NCDOT and the City of Winston-Salem Public Works Department. Required improvements include:
     • Install sidewalk along Stratford Road.
  c. Developer shall cordon off all areas shown on the site plan as stream buffer, tree protection or undisturbed areas. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. Developer shall record a cross access easement to PIN # 6803-54-1991 and 6803-55-7032.
  b. The proposed building shall be constructed in substantial conformance with the submitted elevations labeled “Exhibit A” as verified by Planning staff.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All required improvements of the NCDOT and City of Winston-Salem driveway permits shall be completed.

- **OTHER REQUIREMENTS:**
  a. Any freestanding signage shall be limited to one monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.
STAFF RECOMMENDATION: Denial

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-3095
FEBRUARY 10, 2011

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Harold Day, 1422 S. Main St., Winston-Salem, NC 27127
- Mr. Davis' family has been in business for over 70 years.
- Much of his land including the train station and significant portion of this land is being claimed by the City for various easements, etc.
- Davis has run a garage and wrecker service. I'd rather have him in my neighborhood than all these high density residential areas you've just proposed if it was in my backyard.
- I think the City needs to take care of small businesses. We need more family owned businesses stay in business in this town.
- Davis could just close up, but he's got a son who wants to run the business. Third generation.
- Chris is young. He needs a job. We got people working over there who depend on them to build payroll every week and he runs a wrecker service that's probably second oldest in town continuous. He gets up in the middle of the night when you need him.

Steve Causey, 4720 Kester Mill Road, Winston-Salem, NC 27103
- This is a request for two parcels at the southwest corner of Jonestown and Stratford.
- It's a total of 6.84 acres of which the Davises own approximately 4.77 acres.
- We've worked with the Davises on the special use site plan for their portion which represents about 4.77 acres.
- The Pages are not as involved but they did want to be part of this request.
- The Davises need to relocate their business from Martin Luther King Jr. Drive over to this property.
- They've been in business since 1939. They've been at MLK since about 1975. They purchased this site in 2006 and plan to stay in this location.
- We do appreciate the Southwest Suburban Area Plan (SWSAP) and the effort that went into it but I think there's probably at least four unique situations that probably just need to be looked at a little bit closer.
• The first exception is the sewer. The area plan even acknowledges that sewer is not available. The staff report indicates that it is. There is a difference in opinion about its availability. We are able to serve this property with a private pump station. The other option would be to extend gravity sewer about 2,000 feet down the draw to gravity mains owned by the City. That is a pretty significant cost. To subdivide the property and multifamily development would require a City standard public pump station at significantly more expense. The gravity sewer extension is an option. However, I expect both could probably exceed a couple hundred thousand dollars so it is arguable whether sewer is available.

• Secondly, I don’t feel that the area plan properly acknowledges the beltway coming through. It’s not shown on the area plan. It is shown on some of the future roadway plans but it’s not really represented on the area plan. I hope maybe that gives a little bit better representation in relation to the subject property.

• We do understand that properties within the beltway do have to acknowledge and adhere to the beltway right-of-way takings but I do think that’s going to severely limit anybody’s interest in combining the properties and trying to do a comprehensive development on the site.

• I think the beltway will just discourage the combination of these properties.

• You know we hear the concerns about comprehensive development, recombination of properties, master plan properties. I think anybody looking at these properties would realize that the beltway is a pretty significant impact. It really takes two or three properties over to the west and with the right-of-way we’re having to give up along Stratford Road, I think it’s going to be discouraging to a lot of folks. Mr. Davis himself has given up about half an acre and the Pages about a comparable amount so there’s about an acres worth of takings just off the two subject properties.

The Planning Board asked Mr. Causey questions about the sewer possibilities. Mr. Causey used the site plan to further explain his comments.

Staff noted that Bill Shookman in Utilities was contacted. He said that what they’re proposing is a force main that would go through their property to access this sewer on Jonestown Road. A similar scenario could serve offices, 22,000 sf of offices, and those 32 apartments or multifamily townhouses. In Mr. Shookman’s opinion that option is just as workable as what they’re proposing.

Steve Causey:
• Typical plans for Stratford Road call for a divided multilane in this area. Trying to accommodate multifamily or single family development would necessitate U-turn movements to access the property. It will eventually be a problem with the commercial properties as well, but the nature and the spacing and the timing of the trips wouldn’t have quite the same level of safety concern.

• The adjoining site is described as low or moderate intensity. The amount of asphalt and truck loading and service area make that unlikely.

• We have deleted some of the most intense uses from our request.
• These points lay out a good argument to at least consider the commercial zonings rather than the single family or multifamily zonings as recommended.
• You just considered the intensity of LO office on a site for a different rezoning case. In rough math I think we’re probably talking close to 1,000 trips a day based on the 2,500 sf office. I think the staff reports computed about 175 for the garage.
• City ordinances are requiring about another acre and a half of land between stream buffers, stormwater management areas, stormwater management devices and tree save areas. In effect we’re only able to use about 60% of the property after all the takings.
• Our plan would accommodate the stream buffer about 30 feet off. It shouldn’t be a problem to accommodate that in the future.
• The report indicates the property to the northeast consists of a single family home and undeveloped land. There is no home on the property. I’d hardly call it undeveloped and the future development plan certainly opens the door for pretty intense development.
• We whittled the plan way back from our initial submittal which had twice the building and more parking.
• We know the elevations I’m showing today aren’t binding, but we continue to work on those.
• We don’t think the residential development is feasible due to the issues mentioned above.
• Finally the beltway provides a better geographical barrier to the western migration of the commercial zoning.

Paul Norby clarified with Mr. Causey that the drawing shown today is not proposed to be attached to the site plan and therefore the Planning Board cannot rely on it in their consideration of the request.

AGAINST:

Preston Corbett, 1624 Briar Lake circle, Winston-Salem, NC 27103
• I’m part of the Huntington Woods subdivision that is right across the street.
• I contacted a lot of the neighbors regarding this particular proposal. What was learned initially was that Davis Garage and a fitness center were going to go into this particular location.
• I realize today that plans have changed. Staff said that there was even a proposal for a drug store at this particular location right here.
• The neighborhood is in complete agreement with the staff recommendation that this is not an ideal place for strip development.
• There is a lot of traffic around there. One of the neighbors was run over on his bicycle at that very corner because of the traffic.
• Plans are to have a median down the middle of Stratford Road. That limits access to this site. So does the proposed beltway.
• We are completely opposed to any type of development that would end up being somewhat like Peters Creek Parkway.
• This is a nice quiet residential neighborhood that we live in. We’re very proud of that.
• The other thing that we are opposed to is the use of this particular piece of property. It is not in character with what we have around there right now. There are single family dwellings there now. And the office building that’s located right here is a very good neighbor.
• However, a garage is not in keeping with this particular area and this is not the location for a maintenance facility. When you go past a lot of auto maintenance facilities, they look like a big junkyard and quite frankly we do not care to have a junkyard in our backyard.

Pat Rimron, 1620 Briar Lake Road, Winston-Salem, NC 27103
• I am that unfortunate person who was knocked off his bike at the intersection of Jonestown and Stratford.
• As an avid cyclist who uses that as a route to get out to the lesser traveled areas and having lived here for 12 years, I definitely have seen an increase in traffic.
• There are already buildings on Stratford Road where businesses have failed and gone out of business. Adding another one is not an economically smart thing to do.
• We certainly don’t want to see a respected member of the community have to go out of business but this in not the place for that business.

Allison Norton-Rimron, 1620 Briar Lake Road, Winston-Salem, NC 27103
• I am a business person.
• Staff mentioned there are three commercially zoned areas at Hillcrest, Somerset, and Kinnamon Road. A recent article in the Winston-Salem Journal stated that all three of those commercially zoned properties have greater than 70% vacancy.
• If we’re going to have more commercial businesses, I would prefer to have them move into the already existing and built-out space that is currently vacant.
• Before we start adding other areas of commercial zoning to this western part of Stratford Road, let’s use the existing built-out commercial space.

Kevin Davis, 1757 Huntington Woods Court, Winston-Salem, NC 27103
• I’m a new resident.
• I also work as a UPS driver so I know a lot about the traffic patterns.
• The entrance to our neighborhood at Huntington Woods is in a very sharp curve. That is going to make access and egress even more difficult than it is now.
• I’ve seen a number of accidents happen right at this corner. Traffic to and from Clemmons can be intense.
• The stoplight at Jonestown Road needs to be studied further to help prevent accidents.
• I’ve delivered to the area where Davis garage is located now. There are going to be cars sitting around. It’s going to be an eyesore.
• I don’t want anything bringing down the value of our properties over there. The retirees who live here worked hard for their property and don’t want to see their property values decline.
WORK SESSION

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

You can’t put a garage in a shopping center regardless of the zoning.

All the GI zoned land in the area east of Stratford Road would be available for garage uses.

There are quite a number of business sites in this area which are zoned industrial and recommended in the Southwest Suburban Area Plan for those uses.

About 60% of the Davis’ business is auto repair and 40% is towing. There are typically two to three tows a day and eight to 10 cars a day in repair.

Usually the cars being repaired are there for one day. A vehicle is dropped off in the morning and picked up in the afternoon.

The number of cars on the site varies. The storage rate is high so that cars are moved out as quickly as possible. On average there will be 10-12 vehicles in transition.

The Board discussed the buffers. There is a Type IV buffer along the southern property line. There is a street yard along the front and beside the office flex space is a 20-foot Type II.

The corner parcel which is designated as the proposed Phase II section was of concern to the Planning Board as were the uses requested.

The review process on a rezoning case is a multi-department and multi-agency review process which includes the NCDOT. Because this is a US Highway, the NCDOT controls the driveway permit process. As a result of this, the applicants were advised to talk with NCDOT. What came back to us after those discussions was a site plan that showed the 100’ dedication.

Local government does not require dedication for the beltway. That is the State’s business and we do not take a position on that. We do take the position that the site plan needs to save room for the beltway, but do not get into the issue of how that property is acquired.

The Board discussed access to the proposal with Mr. Causey. The agreed upon access is what the petitioner and NCDOT had agreed upon.

Arnold King: I think for Mr. Davis’ purpose on just his four acres we could work out something that would make sense and that the neighbors could live with and which would be better than having 35 townhouses out there. There’d be less traffic with this proposal than with high intensity residential, but my problem again is that corner.
The corner would have to come back in for a site plan; however, the only thing the Board could do at that point is to consider the site plan. The Board could not limit the uses at that point.

Access to the TWO-PHASE parcel would be at the northern-most property line. It certainly wouldn’t be any closer.

The uses are an issue. Perhaps the petitioner would consider scaling down the list of uses and eliminate those which are not specifically needed for this particular situation.

The neighbors are concerned about a garage in their back yard, but the buffers will provide significant buffering between the areas.

There is not a lot of opportunity for residential to be vibrant here.

The parking is actually going to be blocked from view on Jonestown Road with the building that’s already there.

It would be helpful to have elevations to consider.

Other Board members stated that the primary concern was the proposed TWO-PHASE portion of the request.

Based on these discussions, Mr. Causey indicated that they needed to go back, consider what was discussed today and rework the site plan. Chairman King made it clear that any changes did not mean approval would be recommended for this request. The petitioner indicated his understanding and acceptance of that point.

The Board discussed the appropriateness of approving a portion of the proposed request while withdrawing the other portion. Staff noted that the Board is limited to making a recommendation to the City Council unless the petitioner alters his request.

MOTION: Clarence Lambe moved continuance of the zoning map amendment to March 10, 2011.
SECOND: Wesley Curtis
VOTE:
FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Lynne Mitchell, Paul Mullican, Brenda Smith, Allan Younger
AGAINST: None
EXCUSED: None
CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3095  
MARCH 10, 2011

Gary Roberts presented the staff report.

PUBLIC HEARING

Prior to opening the public hearing, Chairman King explained that there has been interest in another situation impacting Mr. Davis. The only thing which can be considered at today’s meeting is whether or not this is appropriate zoning for this site.

FOR:

Ed Crook, 3270 Peters Creek Pkwy, Winston-Salem, NC  27127
- This proposal is better than what the City says they will support.
- These cars do not belong to Mr. Davis. They will be moved off-site very quickly because of the high storage rates for leaving vehicles here.
- The neighbors should realize that this use will be better than multifamily uses proposed by the City.

Steve Causey, Allied Design, 4720 Kester Mill Road, Winston-Salem, NC  27103
- We have worked with NCDOT: 1) to remove a driveway and 2) regarding dedication with the understanding that they may have to purchase the land in the future.
- We’ve come up with an attractive building and will build in substantial conformance with the elevation submitted as attachment A. It will be set back from the road and have landscaping in the front.
- We invited all adjoining property owners to meet with us. Six people attended the meeting, representing four property owners. We heard no opposition from these immediate neighbors. We have had no contact with residents in Huntington Woods.
- We shared our new information with the three families that expressed opposition to our previous plan.
- Primary concerns still appear to be traffic and intensity. This use will generate less traffic than other proposed and allowed uses would.
- The use to the north which was supported by staff is more intense and generates more traffic and impervious coverage than this use would.
- There currently are commercial uses which aren’t reflected in the area plan.
• In summary we request approval for the following reasons:
  • The traffic generated would be less than allowed under the current zoning or that allowed under the uses proposed by the area plan.
  • The future changes for Stratford Road will make traffic patterns less desirable for residential uses. Our traffic would be more evenly spread throughout the day and not impact the peak traffic hour traffic.
  • We are consistent with the approved zonings to the north.
  • Our request is less intense and could be viewed as a transitional use.
  • Residential development is not feasible because of the lack of sewer system.
  • This site and adjoining sites are severely limited in possibilities for development because of the beltway.
  • The beltway provides a good boundary to stop the westward migration.
  • Regarding the cross access easements, it’s difficult to justify maintaining his parking area for off-site traffic coming through the site.

AGAINST:

Joseph Anderson, 2615 Sparkling Place, Winston-Salem, NC 27103
  • I represent approximately 150 property owners from the surrounding area who are opposed to this request.
  • I received today a letter from Mr. Garrin, an adjoining property owner, expressing his opposition to this request.
  • This would not protect the character of the area. This area is one of the three places in the City where the most rapid residential growth is occurring. It appears there will be a lot of large vehicles on the site and such things as piles of tires.
  • This would stand in the face of the long-standing positive relationship between the neighbors and the Planning staff. For more than 20 years we have worked positively together. During that time we have been assured that the work done planning for this area was setting a precedent for what would occur in this area. This does violate long term plans.
  • There are good, feasible alternatives nearby - sites which are zoned for this use and available for sale at this time.

Betty Kiger, 2561 Lockwood Drive, Winston-Salem, NC 27103
  • We want to preserve the unique character of our neighborhood.

Mary Council, 2701 Lockwood Dr, Winston-Salem, NC 27103
  • I can see his property from mine.
  • There is a branch here and it contains wetlands and wildlife.
  • This water is currently clean and we are concerned for gas and oil to flow into this branch which eventually flows into Muddy Creek.
  • I feel that if this business comes it will be a catalyst for future eyesores.

Jeannette M. Adams, 1201 Kenwood Street, Winston-Salem, NC 27103
  • Our house is 3-4 miles from this site but we visit this area often.
• There are many businesses along Stratford Road and I consider them to be a dividing area between residential and commercial areas.
• I don’t think this is the appropriate place for a garage.
• I am a concerned citizen and am opposed to this request.

Kevin Davis, 1757 Huntington Woods Court, Winston-Salem, NC 27103
• Davis Garage portrays themselves as only towing a couple cars a day, but their website states, “Davis Garage specializes in towing tractor trailer units, cargo delivery trucks, dump trucks, cement mixers, boom trucks, garbage trucks, and just about any hard working, heavy vehicle that runs up and down the road.” They also mention RV towing and repair. They had 11 heavy duty towing units on their facility so there will be a lot of heavy-duty stuff on this site.
• This part of Stratford Road is the gateway into Winston-Salem from Clemmons.

WORK SESSION

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

• There are three differences between last month’s request and this month’s request. First, that was a two phase request. There was a site plan for the current site and the other portion would be considered later. Second, access through the corner lot was not shown. Finally, the list of uses has been significantly reduced to just Motor Vehicle, Repair and Maintenance; and Motor Vehicle Storage Yard.
• The request for access to the corner site is standard practice for connectivity.
• The tree save area consists of existing vegetation and a Type IV buffer on both sides.
• Wesley Curtis: I applaud Mr. Davis for making several concessions, several things to try to make this use work on this site; however, the opinions of the neighborhoods is the determining factor to me.
• The only contact with Huntington Woods was delivery of packets of information and contact information on Monday to those families who expressed concern about the proposal. In addition, an invitation to a meeting was sent to adjoining property owners. In response to a question, Harvey Davis, 1280 Jonestown Rd, Winston-Salem, NC 27103, stated that he made three attempts to contact Mr. Johns whom he understood to be the chair of the neighborhood committee. Those attempts were unsuccessful.
• Barry Lyons: We have the area plans to guide us in thoughtful, reasonable planning. We have to protect our neighborhoods. This use is too intense for this proximity to a neighborhood.
• Paul Mullican: We try our best to help businessmen, but I have to support the staff.
• Clarence Lambe: We have to have infrastructure somewhere. In my opinion, these neighbors will oppose multifamily housing just as intensely. We have a Type IV buffer which is designed to protect incompatible uses.
• Brenda Smith: Any storm water will be controlled by a permit regardless of the anticipated use. With respect to the neighbors, I come to the conclusion that this use is workable for this site. You have the buffers, storm water runoff, and the street yard in the front.
• Arnold King: We respect and appreciate the area plan which calls for 8 units/acre of residential development. Because of the transportation corridor, it would certainly be more intense. I would certainly be inclined to support that. I think the neighbors will find that to be more intrusive, create more traffic and perhaps be less desirable than this request.
• With residential development more traffic will occur during peak hours. Traffic for this use will be spread throughout the day.

MOTION: Barry Lyons moved denial of the zoning map amendment, certified that the site plan conforms, and recommends staff conditions.
SECOND: Mr. Wesley Curtis
VOTE:
   FOR: Wesley Curtis, Arnold King, Barry Lyons, Paul Mullican, Allan Younger
   AGAINST: Clarence Lambe, Brenda Smith
   EXCUSED: None

A. Paul Norby, FAICP
Director of Planning
INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS

Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. Further, please note that additional information may be forthcoming from Departments that indicate “See Emailed Comments” or other similar phrase. 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: W-3095  PROJECT TITLE: Davis Garage  DATE: January 26, 2011

PROJECT DESCRIPTION: Southwest corner of Stratford Road and Jonestown Road (Southwest Ward)

NCDOT- Phone # - 336.703.6600 Email: jprhyne@ncdot.gov
“Obtain driveway permit, one connection allowed 300’ from signal”
(per email from John Rhyne)

Signature

WSDOT- Phone # - 336.747.6872 Email: conniec@cityofws.org
“South Stratford Road is a Boulevard Needs Improvement with a 2009 ADT of 16,000 vpd. The future cross section is 4 lane median divided facility with bicycle and sidewalk accommodation. Please see the attached copy of the Preliminary Plans for the Northern Beltway intersection with US 158. (Additional right-of-way is shown from the Beltway to Jonestown Road, please check with NCDOT ROW on the accommodation for the Beltway project. Sidewalk is provided along S. Stratford Road and from the public sidewalk to the building shown. When Phase 2 comes in sidewalk along the remaining frontage of Stratford Road and Jonestown Road, and improvements to Jonestown Road including widening with curb and gutter and right of way dedication will be required. WSTA Transit Route 19 runs along S. Stratford to the intersection of Jonestown Rd which is adjacent to the two-phase zoning site. S. Stratford Road will continue to serve as a transit corridor and may provide future regional or express service beyond the Jonestown Road intersection. A future stub is shown to the property to the south as it will be the last developable lot between Jonestown and the Beltway. Dedicate a cross access easement along the southern driveway to the stub and through the drive aisle along the front of the property. There is a lot of impervious surface on the site. The doors for service bays appear to be on the south side of the building. Why is there so much asphalt adjacent to the building on the north side? Many fitness facilities in town have issues with parking during peak workout hours. If this space is not removed or somehow delineated it will be a free for all and would be cause for concern in how it interplays with the drive aisle between the lots. I would think you might also want to protect that side of the building from vehicular damage. What is the gravel stub between the back of the lot and the adjacent Jonestown property?”
(per email from Connie Curtis)

Signature

City Engineer- Phone # - 336.747.6846 Email: albertcg@cityofws.org
“Driveway permit req’d. Easement req’d.”
(per email from Al Gaskill)

Signature

City Streets Division- Phone # - 336.734.1550 Email: robbys@cityofws.org
“No comment.”
(per email from Robby Stone)

Signature
Inspections (Zoning)- Phone # - 336.727.2626 Email: jeffv@cityofws.org
"Where is carport to be relocated too? Parking for the 1st floor is only figured for 4 bays. What is the rest of the building to be used for? Offices? A service bay is defined as 240 sq. ft. Are there multiple bays inside? If so, parking will need to be recalcuated. Parking for Tow Truck dispatch should be figured as an "Office" 1 to 300. Include this cale in parking cals. Can take 5% reduction for Bus Route 19, and 3% sidewalk reduction. May also take 5% for shared driveway. Label description of motor vehicle storage yard fencing. Must be 6' opaque fencing. Loading/unloading space location? Cannot interfere with normal vehicular/pedestrian circulation. Handicapped accessibility to 2nd floor? Can the easement be extended to the property line? Show tree protection fencing at edge of disturbed area."
(per email from Jeff Vaughn)

Signature

Inspections (Erosion Control)- Phone # - 336.727.2388 Email: jeffk@cityofws.org
"Land Disturbing Permit req’d. CityStormwater approval. Evaluate drainage areas for regulatory streams and flag buffers on regulatory streams.”
(per email from Jeff Kopf)

Signature

Stormwater Division- Phone # - 336.747.6961 Email: josephf@cityofws.org
"Stormwater Study Required”
(per email from Joe Fogarty)

Signature

Fire (City)- Phone # - 336.747.7359 Email: jonc@cityofwsfire.org
“1.) FDC within 100 feet of public hydrant. 2.) Gravel FD access road requires sealed letter from N.C. Professional Engineer certifying road to support 75,000 lb. load. 3.) FD requirements for fuel storage dependent on types of fuel, max. quantities, etc. 4.) Pump station requirements per N.C. Fire Prevention Code and NFPA Standards.”
(per email from Jon Canupp)

Signature

Utilities- Phone # - 336.747.7499 Email: billjs@cityofws.org
“City/County Utilities does not assume responsibility for due diligence on behalf of the owner, developer, or consulting engineer. A sewer capacity analysis fee of $200 applies to all public or private sewer connections that require a DWQ FTSE form. Provide anticipated SS average daily flow for FTSE analysis. A construction drawing plan review fee applies to all public water and/or sewer extensions and all private water services required to be permitted through NCDENR. Water services larger than 2-inch and all fire services are required to be permitted by NCDENR. Subject to Utilities plan review for Building Permit Application and/or Authorization to Construct Water or Sanitary Sewer Systems. Contact Bob Kitchens, Utilities, 336-734-1332, for meter, backflow preventer, and/or grease interceptor requirements. Contact Charles Hendrick, Records Center, 336-747-6850, for applicable impact fees or rates, and record drawings. Contact CityLink, 727-8000 for Utility locates of water and sewer mains and or service laterals. Existing water and/or sewer connections may require evaluation for serviceability and/or termination at the main.”
(per email from Bill Shookman)

Signature
<table>
<thead>
<tr>
<th>Department</th>
<th>Phone/Email Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanitation</td>
<td>Phone # - 336.748.3080 Email: <a href="mailto:christe@cityofws.org">christe@cityofws.org</a></td>
</tr>
<tr>
<td>Planning</td>
<td>Phone # - 336.747.7043/747.7068 Email: <a href="mailto:aaronk@cityofws.org">aaronk@cityofws.org</a></td>
</tr>
<tr>
<td>Forsyth County Health</td>
<td>Department - 336.703-3110 Email: <a href="mailto:rakescd@forsyth.cc">rakescd@forsyth.cc</a></td>
</tr>
<tr>
<td>Vegetation Management</td>
<td>-336.748.3020 Email: <a href="mailto:keithf@cityofws.org">keithf@cityofws.org</a></td>
</tr>
<tr>
<td>Street Names/Addresses</td>
<td>-336.747.7048 Email: <a href="mailto:benfs@cityofws.org">benfs@cityofws.org</a></td>
</tr>
</tbody>
</table>

- **Planning**
  - Is there a better place for the loading space? Show cross access easements to adjacent property; Staff will include conditions for 2-phase property access limitations, sign condition similar to adjacent HB-S; sidewalk along both frontages.
  - (per email from Aaron King)

- **Street Names/Addresses**
  - The existing house/towing office will retain 2710 S Stratford Rd. The new 2 story building is assigned 2714 S Stratford Rd.
  - (per email from Ben Stamey)
EXISTING RS-9 USES ALLOWED
City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Adult Day Care Home
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Church or Religious Institution, Community
Golf Course
Library, Public
Limited Campus Uses
Planned Residential Development
School, Private
School, Public
Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Bed and Breakfast
Child Day Care, Large Home
Habilitation Facility A
Landfill, Land Clearing/Inert Debris
Manufactured Home, Class A
Park and Shuttle Lot

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Parking, Off-Site, for Multifamily or Institutional Uses
Although the proposed special use zoning map amendment from RS-9 (Residential, Single Family District; 9,000 sf minimum lot size) to HB-S (Highway Business District) is inconsistent with the Legacy Comprehensive Plan and the Southwest Suburban Area Plan and is incompatible with the general area, said proposed zoning map amendment, with its added conditions, would allow for new development which is reasonable and in the public’s interest. It is also noted that said request is consistent with most of the HB purpose statement and that there is adjacent property to the north that is zoned HB-S.
DENIAL
STATEMENT REGARDING CONSISTENCY WITH COMPREHENSIVE PLAN
W-3095 (CHD PROPERTIES, LLC)

The proposed special use zoning map amendment from RS-9 (Residential, Single Family District: 9,000sf minimum lot size) to HB-S (Highway Business District) is inconsistent with the Legacy Comprehensive Plan and Southwest Suburban Area Plan. It is also incompatible with the general area; therefore, the proposed amendment is not reasonable and in the public’s interest. Additionally, the proposed zoning map amendment would intensify the zoning at a location that is in close proximity to the beltway, which may lead to further strip commercial development along Stratford Road.
March 7, 2011

Residents of Huntington Woods:

Mr. Preston Corbett, 1624 Briar Lake Circle
Mr. Pat Rixon and Allison Norton-Rixon, 1620 Briar Lake Road
Mr. Kevin Davis, 1757 Huntington Woods Court

SUBJECT: DAVIS GARAGE REZONING REQUEST
2710 SOUTH STRATFORD ROAD
ZONING DOCKET: W-3095

As you are aware, the subject zoning case was continued to the Planning Board meeting scheduled for this Thursday, March 10, 2011, at 4:30 p.m.

We are providing the enclosed information to update you with the latest revisions to our rezoning request. The most notable revisions include:

1. Deletion of Davis property at corner of Jonestown and Stratford Roads from the rezoning request.
2. Reduced list of uses for the Davis property (only includes uses necessary for his business).
3. Elimination of the driveway between the Page and Davis property.

Please note that as determined in the Planning Staff report the proposed use will generate approximately 209 vehicular trips per day. Under the existing zoning there could be 220 trips per day. Under the more intense zoning recommended by Staff, there could be considerably more trips. We feel the site and use as proposed will have minimal effect on the adjoining neighbors.

If you have any questions, would like any additional information or have concerns you would like to discuss directly with myself or the Davis', please contact me at 397-1216 or 407-3352.

Sincerely,

Steve M. Causey, P.E.

Architectural Building Elevation
## SIGN-IN SHEET
### DAVIS GARAGE
#### REZONING NEIGHBORHOOD MEETING
**Thursday, January 20, 2011, 6:00 p.m.**

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
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<tbody>
<tr>
<td>Ralph Harris</td>
<td>1728 Jonetown Rd.</td>
</tr>
<tr>
<td>David Chen</td>
<td>1710 Jonetown Rd.</td>
</tr>
<tr>
<td>Norman Miller</td>
<td>1765 Jonetown Rd.</td>
</tr>
<tr>
<td>Charles Edward Poindexter</td>
<td>(by SMC)</td>
</tr>
</tbody>
</table>
From: "Cliff Harvel" <granfu@triad.rr.com>
To: <pauln@cityofws.org>
Date: 2/2/2011 10:47 AM
Subject: re-zoning

I think that, besides not wanting the area to become
> commercial, that Stratford is a road designed to move traffic. If we
> don't watch out, it will be come as congested as Peters Creek Pkwy. I
> have seen several near misses when traffic is going 50mph and someone
> decides at the last minute to turn into the Wilco or one of the other
> businesses there without a turn lane. This frontage isn't long enough
> for an adequate turn lane, and access from Jonestown, thru the backup
> waiting to get to Stratford would clog up that intersection as well.
>
> Cliff Harvel

2605 Lockwood Drive
From: <plowder2@tiad.n.com>
To: <paulin@cityofws.org>
Date: 2/2/2011 10:01 AM
Subject: zoning change

Dear Paul,
I live near the corner of Jonestown Rd. and Stratford Rd.
I strongly oppose the rezoning of that area from RS9
in order to allow a garage and fitness center to be
developed there. According to Dan Besse, the city council
wants the area to remain residential, also.
Sincerely,
Pauline Lowder
February 5, 2011

Planning Board:

Re: Docket W3095
2710 S. Stratford Rd.
Intent to change zoning from RS9 to HB-S

We oppose the change and respectfully request that no zoning change be made.

1. The additional traffic would create a hazard to public safety and the easy flow of traffic into the city.

   During the morning and evening commute times the traffic at the corner of Stratford and Jonestown Road is often backed up and sometimes difficult to negotiate. The intersection often becomes blocked with traffic, making turns North over the railroad crossing onto Hope Church Road headed towards the Industrial Park. Often tractor trailers and school busses make the Hope Church Road traffic impassable. Frequently traffic is stalled up to a quarter of a mile on W. Clemmons Rd. as well as several hundred yards on Stratford and Jonestown Roads.

   About two hundred yards west on Jonestown Road is a sharp curve that often produces accidents. On one occasion we stopped to aid the passengers whose car had turned over.

   Currently there is traffic from three industrial parks that empty into the intersection.

   Soon the beltway will also be emptying into this intersection.

   We conclude that the Jonestown, Stratford, and W. Clemmons Road intersection is already too congested and unsafe. The increased traffic from this proposed commercial development would jeopardize public safety and hinder the flow of traffic into the city.

2. We believe that the proposed zoning change would encourage the development of strip commercial property on Stratford Road and consequently substantially change the current and preferred residential nature of the area.

3. The change in zoning does not comply with the Legacy recommendations.

   Further we believe that this commercial use would be better served by utilizing the unused space already provided at either the Hillcrest or Somerset Commercial modes.

Respectfully,

The Most Reverend Michael Rivest, Ph.D.
Kathleen Rivest, Ph.D.
1608 Briar Lake Circle
Winston-Salem NC 27103
336 760-1780
Shelly Stewart - Re: Proposed Zoning Change at Stratford & Jonestown

From: Paul Norby
To: Besse, Dan; Norton-Rimron, Allison
Date: Monday, February 07, 2011 8:18 AM
Subject: Re: Proposed Zoning Change at Stratford & Jonestown
CC: Corbett, Preston; Stewart, Shelly; patrimron@fcds.org

Dear Mr./Ms. Norton-Rimron--
Thank you for your message. We encourage folks to come to the Planning Board hearing this Thursday to express their views during the public hearing; however, I will also have this message copied and placed at the Planning Board members' places.
Sincerely,
-Paul Norby

Paul Norby
City-County Planning Director
336/747-7061

NOTICE: My public record emails are subject to release to news media upon request.

>>> Allison Norton-Rimron <anr.runner@hotmail.com> 2/5/2011 8:34 AM >>>

Paul,

I understand that the City Planning Commission will meet next Thursday (2/10) to discuss rezoning property near the intersection of Jonestown Rd and Stratford Rd.

As a resident of the adjacent Huntington Woods neighborhood, we are very opposed to changing the zoning at the corner of Stratford & Jonestown from RS-9 to any type of commercial zoning. The area is already congested with heavy traffic in the morning & evening rush hours. The reason we live in this part of town is the feeling of being in the country while having close proximity to both the Clemmons area and the Hanes Mall areas of town. We do not want our stretch of Stratford to resemble the area around Peters Creek Parkway or the other end of Stratford new Thruway Shopping Center.

In August 2009, my husband was hit on his bicycle while crossing Stratford at this intersection by a hit-and-run driver. He survived 10 months in Baghdad, Iraq serving his country, only to come back and be hit by a car & irresponsible driver at this very busy intersection (by the way the car made a right hand turn immediately in front of my spouse, cutting him off, knocking him to the ground). As a result of this accident he fractured his wrist in multiple locations requiring fairly complex surgery to repair. This happened while the zoning was RS-9. I would hate for the level of traffic to increase and have more drivers making last minute decisions to turn, potentially causing additional accidents, both with autos and with cyclists or runners.

It is also my understanding that the planning board's intentions for this area are to remain RS-9. If that is indeed the case then they should deny this re-zoning request. I expect that many in our neighborhood will be at the planning board meeting next Thursday to show our opposition to this request.

Thank you in advance for your attention to the resident's concerns.

Regards,

Allison Norton-Rimron
Pat Rimron
1620 Briar Lake Rd
Winston-Salem, NC 27103

file://C:\Documents and Settings\shellys\Local Settings\Temp\XPgrpwise\4D4FAAE2City ...  2/8/2011
Shelly Stewart - letter for W3095

From: Gary Roberts
To: Stewart, Shelly
Date: Monday, February 07, 2011 9:46 AM
Subject: letter for W3095

Shelly,
could you make sure this gets to the PB?
Thanks,
Gar

Gary H. Roberts Jr, AICP, Project Planner
Winston-Salem / Forsyth County Planning Board
100 E. First Street
Winston-Salem, NC 27102
Ph. 336.747.7069
Fax 336.748.3163
Web: www.cityofws.org

>>> "Doug & Jo Kapfer" <dkapfer@triad.rr.com> 2/5/2011 11:33 AM >>>

Mr. Norby,
My name is Doug Kapfer and I live in Huntington Woods, a subdivision off Jonestown Road, near the site of the proposed zoning change W3095.

I will be unable to attend the hearing with the Zoning Board due to my job, and am writing to you in opposition to the proposed change. Please present my opposition at the Zoning Board meeting for me.

My reasons are:
1. Access to the site by additional traffic will pose a safety hazard.
   a. There are already a few businesses on Stratford that do not have a turning lane and I have witnessed several near misses with traffic going the speed limit having to brake hard when a customer decides at the last minute to make a turn into them.
   b. This property does not have enough frontage on Stratford to allow for an adequate turning lane; additionally, any attempt at building a turn lane would have to start immediately south of the Stratford/Jonestown intersection and cause problems with the flow at that point.
   c. Access to this property turning left from Jonestown Road would have to be across the traffic that already backs up on Jonestown several hundred feet attempting to cross or turn onto Stratford. I would anticipate traffic trying to turn across the backed up traffic would then block cars attempting to turn from Stratford onto Jonestown.
2. At this point in the county, Stratford Road is a major carrier of traffic between Winston-Salem and Clemmons. Encouraging additional businesses along the road will impede this traffic and eventually require the county to build another bypass type road to carry that traffic.
3. This area is planned as residential. That was a large consideration when I purchased my property. Changing the usage may adversely affect my property value and resale ability.
   a. There are already several business parks in the area with proper access routes, they would be better suited for a garage and athletic complex.
   b. I personally don’t want this part of Stratford Road to end up being congested like Peters Creek Parkway. The Planning Commission has given us a far seeing road map for growth in the county, we should follow it, not ignore it.

Thank you,
Douglas M. Kapfer
1708 Briar Lake Rd
Winston-Salem, NC 27103

336-774-0970
Gary Roberts - W-3095 Zoning Change

From: Elizabeth Villegas <ehv1128@gmail.com>
To: <danbesse@danbesse.org>
Date: 2/9/2011 9:51 AM
Subject: W-3095 Zoning Change
CC: <pauln@cityofws.org>, <allenj@cityofws.org>

Dear Alderman Beese and Mr. Paul Norby:
My wife and I are residents of 2581 Lockwood Drive which is near the area being considered for re-zoning. We are out of town and not able to attend the Zoning Board meeting, but would like to voice our concern against zoning proposal W-3095.

Our concerns are:

- Creeping commercialism will convert our quiet and vibrant residential community into an island surrounded by commercial enterprises.
- Nearby shopping areas are largely unoccupied, both near Somerset all the way down to the second Food Lion center at Kinnamon Road in Clemmons. All this empty commercial space should be able to accommodate other businesses.
- Traffic, particularly during "rush" hours, is already congested.

We understand and applaud efforts to support commerce and the business community. Hopefully this objection will not come across as simply a "not in my backyard" argument. My wife and I have lived at this home since 1978 and many of our neighbors are likewise long term residents. We have been joined over the years with many new homes and home improvements. It would be a shame to 'devalue' these lifetime investments by the direct action of this rezoning. Surely there are solutions that protect vibrant residential areas and yet promote worthwhile commercial enterprise. Thank you for your service to Winston-Salem.
Respectfully,
Samuel J. Villegas
Elizabeth H. Villegas
2581 Lockwood Drive
Winston-Salem, NC 27103
336-768-6209
Shelly Stewart - Re: Rezoning Stratford Road and Jonestown

From: Paul Norby
To: Yates, Bob
Date: Wednesday, February 09, 2011 4:37 PM
Subject: Re: Rezoning Stratford Road and Jonestown
CC: Stewart, Shelly

Thank you, Mr. Yates for your message. We will copy it and place it at the desks of the Planning Board members at their meeting tomorrow.

The most effective way to express your views on the proposed rezoning is to come to the public hearing, scheduled for tomorrow, February 10 at 4:30 PM at the 5th floor public meeting room of the Bryce Stuart Municipal Building, 100 East First Street. Once they hold the hearing and make their recommendation, the case will then go to the City Council, which will also schedule a public hearing.

Thanks again
-Paul Norby

Paul Norby
City-County Planning Director
336/747-7061

NOTICE: My public record emails are subject to release to news media upon request.

>>> "Bob Yates" <byates1@triad.rr.com> 2/9/2011 4:28 PM >>>
My wife and I would like to go on record as being opposed to the proposed rezoning (W-3095) on Stratford Road at Jonestown Road. This is and has always has been zoned residential, and that is the way we want it to stay. As has been mentioned there is property available both on Clammonsville Road and Griffith Road that is far more suitable for a service garage than the area in question. If we have a voice in the matter our vote is no.

Sincerely, Bob Yates
Dear Alderman Beese and Mr. Paul Norby:
My wife and I are residents of 2581 Lockwood Drive which is near the area being considered for re-zoning. We are out of town and not able to attend the Zoning Board meeting, but would like to voice our concern against zoning proposal W-3095.

Our concerns are:

- Creeping commercialism will convert our quiet and vibrant residential community into an island surrounded by commercial enterprises.
- Nearby shopping areas are largely unoccupied, both near Somerset all the way down to the second Food Lion center at Kinnamon Road in Clemmons. All this empty commercial space should be able to accommodate other businesses.
- Traffic, particularly during "rush" hours, is already congested.

We understand and applaud efforts to support commerce and the business community. Hopefully this objection will not come across as simply a "not in my backyard" argument. My wife and I have lived at this home since 1978 and many of our neighbors are likewise long term residents. We have been joined over the years with many new homes and home improvements. It would be a shame to 'devalue' these lifetime investments by the direct action of this rezoning. Surely there are solutions that protect vibrant residential areas and yet promote worthwhile commercial enterprise. Thank you for your service to Winston-Salem.

Respectfully,
Samuel J. Villegas
Elizabeth H. Villegas
2581 Lockwood Drive
Winston-Salem, NC 27103
336-768-6209
David Reed - Planning Board Meeting - Regarding W-3095

From:   "Clay Poindexter" <cpoindexter@versasolutions.net>
To:     <davidr@cityofws.org>, <garyr@cityofws.org>
Date:   2/10/2011 1:52 PM
Subject: Planning Board Meeting - Regarding W-3095

David,

I just wanted to touch base regarding the today's meeting. I will not be able to attend due to a school meeting tonight with my son.

I hope your recommendation is taken by the planning board. Just to reiterate my position if it helps you for today's meeting, I am not opposed to rezoning the property for business or mixed residential, but just not the type of business use (garage/wrecker/car storage) they are currently planning to operate from that location. I would be in favor of any type of business office development that is similar to my current property at 1760 Jonestown Rd. The petitioner's type of business would be better suited for the Griffith Road area.

I will follow up with you tomorrow to get the outcome and any feedback. Sorry again I can not make the meeting, I hate to miss it.

Thanks for your help,

Clay Poindexter

ClayPoindexter@versasolutions.net  Tel 336-765-2004 | Fax 336-768-2063 | www.versasolutions.net

VERSAPossil\TelecomandDataSolutions
I am Mark Burns of 1716 Huntington Woods Ct., Winston-Salem, NC 27103, and my wife is Jan Burns of the same address.

Please note for the record and the meeting that we agree with the planning staffs' recommendation that docket # W-3095 be denied for rezoning.

This storage lot, garage, tow truck operation would indeed encourage strip development, and put pressure for a similar strip or development directly behind our homes in Huntington Woods. The proposed rezoning would not be compatible with surrounding uses, could contribute to pollution at Little Creek, contribute to the noise and light pollution already in the area, and decrease property values throughout Huntington Woods. The location would also cause even more traffic accidents at the corner of Stratford and Jonestown by stalling traffic. As mentioned in staff notes, the plan is not in conformity with the Legacy plan and is inconsistent with the Southwest Suburban Area Plan. Urban sprawl must be stopped.

A more appropriate location for the garage would be on W. Clemmonsville Road in the Griffith Road area.

Mark and Jan Burns
336-978-3702
Shelly Stewart - Re: Letters for Thursday - Citizen Comment Received

From: <emresourcesnc@aol.com>
To: <shellys@cityofws.org>, <relcoconst@aol.com>, <arnold@arnoldking.com>, <...
Date: Thursday, February 10, 2011 12:05 PM
Subject: Re: Letters for Thursday - Citizen Comment Received
CC: <CHRISF@cityofws.org>

Paul,

I am sending this e-mail to pass along comments I received from a concerned citizen that did not have access to e-mail to submit her comments prior to the Public Hearing today.

Carolyn Johnson
1660 Jonestown Road
Winston-Salem, NC 27103

Ms. Johnson stated that she is opposed to the rezoning of the property located on the southwest corner of Stratford Road and Jonestown Road (Zoning Docket W-3095). She stated that she is opposed to letting more businesses in this area and that approving this rezoning request might be like opening Pandora's box.

-----Original Message-----
From: Shelly Stewart <shellys@cityofws.org>
To: Brenda Smith <emresourcesnc@aol.com>; Paul Mullican <relcoconst@aol.com>; Arnold King <arnold@arnoldking.com>; Barry Lyons <barrylyons@bellsouth.net>; Darryl Little <melp@bellsouth.net>; Clarence Lambe <clarence@cameroncommercial.com>; Lynne Mitchell <mitchelm@forsyth.cc>; Allan Younger <agyoungergmail.com>; Wesley Curtis <wesleyc@wrcp.com>
Cc: Christina Frye <CHRISF@cityofws.org>
Sent: Tue, Feb 8, 2011 9:09 am
Subject: Letters for Thursday

Attached is a file containing three messages we have received regarding Thursday's meeting.

Page 4 is the message we received attached to page 3.

See you Thursday,
Shelly
Constance G. Luke
2509 Huntington Woods Drive
Winston-Salem, NC 27103

February 28, 2011

Winston-Salem Forsyth County Planning Board
ATTN: Aaron King
100 East First Street
Winston-Salem, NC 27101

RE: Case W-3095

I wish to register my opposition to the re-zoning being requested in Case W-3095.

It has come to my attention that Mr. Harvey Davis, owner of the business known as Davis Garage, is applying to get property at the southwest corner of S. Stratford Road and Jonestown Road re-zoned from residential RS-9 to commercial. On the surface, this change does not sound unreasonable; however, it is within ½ mile of two residential sub-divisions, Huntington Woods and Briar Lake, which contain more than 100 houses in the $250,000 and higher price range.

My house, which is very close to the entrance of Huntington Woods on Jonestown Road, will probably drop in value considerably if this change in zoning is allowed. I have lived in my house since 1988, and this area and most of the surrounding land is zoned RS-9.

The Legacy Plan for the City has proposed for years that the land along this area of Stratford Road be zoned for residential, and there are houses located along Stratford Road. It was the intention of the Planning Board to prevent Stratford Road from becoming one long strip of shopping centers.

There are two areas of land within a mile of us, along Clemmonsville Road, that are already zoned Industrial. One is a brand new industrial park. It makes much more sense for Mr. Davis to locate his business in one of those areas already zoned for his type of business.

I understand that the City is planning to utilize Eminent Domain to claim Mr. Davis’ current location of Davis Garage. I question the timing of the City’s plans for that, since there do not seem to be any immediate plans for a rapid transit system.

I would like very much to speak with Mr. Aaron King so I can understand the necessity to destroy the value of my house. My telephone number is 336-768-0118, and I would appreciate the opportunity to set up an appointment before the next Planning Board meeting on March 10.

Constance G. Luke
March 06, 2011

City-County Planning Board
City of Winston-Salem, NC
101 N. Main Street
Winston-Salem, NC 27101

Subject: Zoning Case Number W-3095 – re Southwest Corner of Stratford Road and Jonestown Road, From RS9 to HB-S; 6.84 Acres.

Dear Sirs:

Please refer to the above subject. I am opposed to the rezoning of the property from residential to business. I consider that area to be the start of a residential zone and the landscape is beautiful. To have a garage there would devalue the homes in the Huntingwood Division and along Jonestown Road and Stratford Road. No matter if the request has been scaled back – it will still have a chain-link fence, cars out front and a large sign with the name so it can be seen from all angles. In other words, an eyesore.

Do not overlook the fact that the property owner is in discussion with the City of Winston-Salem re his present garage location in the former train station. If things cannot be worked out to his satisfaction there, I don’t believe he should be granted the above request to rezone his ownership of residential to business. It sounds like you would be agreeing out of ‘sympathy’ and the owner thinking if I can’t have my way with the discussion, I’ll request rezoning – no matter how much opposition is presented.

Residential considerations should be upheld, too often they are ignored. There are many locations for a business to relocate and loyal customers will follow if they are satisfied with the work. People are trying to improve the environment by planting trees, etc. Why disturb a place of beauty by rezoning and undermine their efforts. Thank you for your attention.

Yours truly,

Jeannette M. Adams
(Mrs.) Jeannette M. Adams
1201 Kenwood Street
Winston-Salem, NC 27103
Phone: (336) 725-3824
E-Mail: dnadams@bellsouth.net

Cc: Mr. Dan Besse Councilman

Southwest Ward
TO: CITY COUNTY PLANNING BOARD

RE: CASE #3095 - REZONING OF PROPERTY ON SW CORNER OF STRATFORD/JONESTOWN ROADS

My name is Norma Nail and my husband Gene and I live at 2500 Huntington Woods Drive. We would like to state our opposition to the proposed rezoning of the property at the SW corner of Stratford and Jonestown Roads.

Our main objection is the type of business planned there. We feel that in addition to the increased traffic and possibly the future development of similar properties in the surrounding areas, the business would be an eyesore. We would not oppose this rezoning if it were for a nice office-type building.

Please take into careful consideration the concerns of the residents of the surrounding area of this proposed rezoning.

Thank you,

Norma Nail