PROPOSED ZONING:
GO-L

EXISTING ZONING:
RS9 and GO-S

PETITIONER:
Jarvis and Johnnie Hauser for property owned by Same

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRES: 4.89

NEAREST BLDG: 85' east

MAP(S): 606846
November 23, 2011

Jarvis and Johnnie Hauser
1410 Ploughboy Lane
Winston-Salem, NC 27103

Re: Zoning Map Amendment W-3119

Dear Jarvis and Johnnie Hauser:

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,

A. Paul Norby, FAICP
Director of Planning

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102
Doug Stimmel, 601 North Trade Street, Suite 200, Winston-Salem, NC 27101
### ACTION REQUEST FORM

**DATE:** November 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 Jarvis and Johnnie Hauser

### SUMMARY OF INFORMATION:

Zoning map amendment of Jarvis and Johnnie Hauser from RS9 & GO-S (Offices; and Banking and Financial Services) to GO-L (Fraternity or Sorority; Arts and Crafts Studio; Banking and Financial Services; Funeral Home; Offices; Services, A; Recreation Facility, Public; Academic Medical Center; Adult Day Care Center; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices, Neighborhood Organization, or Post Office; Hospice and Palliative Care; Hospital or Health Center; Institutional Vocational Training Facility; Landfill, Land Clearing/Inert Debris; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Vocational or Professional; Access Easement, Private Off-Site; Heliport; Park and Shuttle Lot; Transmission Tower; Utilities): property is located on the southwest corner of Forrestgate Drive and Westbrook Plaza Drive (Zoning Docket W-3119).

### PLANNING BOARD ACTION:

**MOTION ON PETITION:** APPROVAL.  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED
CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of Jarvis and Johnnie Hauser, Docket W-3119

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 & GO-S (Offices;
and Banking and Financial Services) to GO-L (Fraternity or Sorority; Arts and Crafts Studio;
Banking and Financial Services; Funeral Home; Offices; Services, A; Recreation Facility,
Public; Academic Medical Center; Adult Day Care Center; Child Care, Drop-In; Child Care
Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution,
Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or
University; Government Offices, Neighborhood Organization, or Post Office; Hospice and
Palliative Care; Hospital or Health Center; Institutional Vocational Training Facility; Landfill,
Land Clearing/Inert Debris; Library, Public; Museum or Art Gallery; Nursing Care Institution;
Police or Fire Station; School, Vocational or Professional; Access Easement, Private Off-Site;
Helistop; Park and Shuttle Lot; Transmission Tower; Utilities) the zoning classification of the
following described property:

PIN#s 6814-07-9443, 6814-07-9017; and 6814-17-0096

Section 2. This Ordinance is adopted after approval of the Special Use Limited District
Permit issued by the City Council the ______ day of __________________, 20___ to Jarvis
and Johnnie Hauser.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District
Permit pursuant to the Zoning Ordinance of the Unified Development Ordinances for a
development to be known as Jarvis and Johnnie Hauser. Said Special Use Limited District Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.
CITY - SPECIAL USE LIMITED DISTRICT PERMIT

SPECIAL USE LIMITED 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 Limited District Permit for the zoning petition of Jarvis and Johnnie Hauser, (Zoning Docket W-3119). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Fraternity or Sorority; Arts and Crafts Studio; Banking and Financial Services; Funeral Home; Offices; Services, A; Recreation Facility, Public; Academic Medical Center; Adult Day Care Center; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices, Neighborhood Organization, or Post Office; Hospice and Palliative Care; Hospital or Health Center; Institutional Vocational Training Facility; Landfill, Land Clearing/Inert Debris; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Vocational or Professional; Access Easement, Private Off-Site; Helistop; Park and Shuttle Lot; Transmission Tower; Utilities, approved by the Winston-Salem City Council the ______ day of ____________________, 20____ " and signed, provided the property is developed in accordance with requirements of the GO-L 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 BUILDING PERMITS:**
  a. The developer shall contact the City of Winston-Salem Public Works Department and make payment to the City of Winston-Salem for the Sanitary Sewer Special Privilege Fee and the Stratford Road Impact Fee.

• **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. The developer shall install sidewalk along each phase's frontage on Westbrook Plaza Drive to the specifications of the City of Winston-Salem Public Works Department.
**CITY-COUNTY PLANNING BOARD**  
**STAFF REPORT**

### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3119</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Jarvis and Johnnie Hauser</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #'s 6814-07-9443, 9017, and 6814-17-0096</td>
</tr>
<tr>
<td>Address</td>
<td>1365 Westbrook Plaza Drive</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Limited rezoning from RS9 &amp; GO-S to GO-L</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) and GO-S (General Office District; Offices; and Banking and Financial Services) to GO-L (General Office- Special Use Limited District). The petitioner is requesting the following uses:

- All uses allowed in GO zoning

**NOTE:** General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.

### Neighborhood Contact/Meeting

The application at the time of filing does not indicate whether a neighborhood/community meeting had been held.

### Zoning District Purpose Statement

The GO District is primarily intended to accommodate high intensity office uses and supporting services. The district is established to provide locations for employment within GMAs (Growth Management Areas) 1 City/Town Centers), 2 (Urban Neighborhoods), 3 (Suburban Neighborhoods) with access to thoroughfares and Metro Activity Centers.

### 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)?**

The site is located within GMA 3 and is adjacent to other GO and GO-S zoned properties.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Southwest corner of Forrestgate Drive and Westbrook Plaza Drive</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>± 4.89 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site is currently developed with one single family residential structure.</td>
</tr>
</tbody>
</table>

### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS9</td>
<td>Single family home</td>
</tr>
<tr>
<td>East</td>
<td>GO-S &amp; GO</td>
<td>Undeveloped property and office uses</td>
</tr>
<tr>
<td>South</td>
<td>GB-S</td>
<td>I-40</td>
</tr>
<tr>
<td>West</td>
<td>RS9</td>
<td>Single family homes</td>
</tr>
</tbody>
</table>
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?  
The proposed uses are compatible with the uses permitted on the adjacent GO and GO-S zoned properties. The uses are less compatible with the uses permitted on the adjacent RS9 zoned properties.

Physical Characteristics  
The partially developed site has a gentle to steep slope downward to the southwest. A wetland area has been identified on the southwestern portion of the site.

Proximity to Water and Sewer  
Public water and sewer are available to the site. The developer will need to contact the City of Winston-Salem Public Works Department in regard to the Sanitary Sewer Special Privilege Fee and the Stratford Road Impact Fee.

Stormwater/Drainage  
No known issues.

Watershed and Overlay Districts  
The site is not located within a water supply watershed.

Analysis of General Site Information  
A wetland area has been identified on the southwestern portion of the site. Otherwise, the property has no apparent constraints and appears to be suitable for development within the proposed GO-L district.

**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>Westbrook Plaza Drive</td>
<td>Local Street</td>
<td>585’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Forrestgate Drive</td>
<td>Local Street</td>
<td>252’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>I-40</td>
<td>Freeway/Expressway</td>
<td>514’</td>
<td>72,000</td>
<td>95,900</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**  
Because this is a Special Use Limited request with no site plan or access conditions, the exact location of access points (other than the existing driveways onto Forrestgate Drive and Westbrook Plaza Drive) is unknown.

**Trip Generation - Existing/Proposed**  
Existing Zoning: RS9 portion only  
4.89 acres x 43,560 sf / 9,000 = 23 dwelling units x 9.57 (SFR Trip Rate)  
= 220 Trips per Day

Proposed Zoning: GO-L  
No trip rate is available for the proposed zoning which has no site plan.

**Sidewalks**  
There are no sidewalks located in the immediate vicinity of the subject property; however, there are some sidewalks along Westbrook Plaza Drive further to the east. WSDOT staff has recommended that sidewalk be installed along the frontage of Westbrook Plaza Drive.

**Transit**  
Route 43 runs along Hanes Mall Boulevard located approximately 1,200’ to the south.

**Analysis of Site Access and Transportation Information**  
The site has good access and staff does not anticipate any negative transportation impacts from this request. The developer will need to contact the City of Winston-Salem Public Works Department in regard to the Sanitary Sewer Special Privilege Fee and the Stratford Road Impact Fee.
### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>Growth Management Area 3 – Suburban Neighborhoods</th>
</tr>
</thead>
</table>
| Relevant Legacy Recommendations | - Protect residential areas from inappropriate commercial and industrial encroachment.  
- Encourage redevelopment and reuse of existing sites and buildings which are visually compatible with the surrounding area.  
- Legacy supports quality office development. It recommends that retail and office buildings should be near the street and sidewalk. This reduces the distance pedestrians and transit users have to travel and provides direct access to buildings along the street. Parking should be located to the rear and sides or under retail and office buildings. |

<table>
<thead>
<tr>
<th>Relevant Area Plan(s)</th>
<th>Southwest Suburban Area Plan (2009)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Plan Recommendations</td>
<td>- The larger area (in the vicinity of the subject property) is composed mainly of office development on small parcels along with some vacant land and older single-family homes. Redevelopment of this area should consist of comprehensively-planned office development.</td>
</tr>
</tbody>
</table>

| Other Applicable Plans and Planning Issues | Comments from the Inspections Division: The existing use is Residential Building, Single Family. Any commercial use will require building and zoning permits, including but not limited to, site plans, floor plans and building code summaries, prior to beginning work and/or occupying the structure under the new use. If the building is to be removed permits would be required prior to constructing any new building or conducting any site work. |

| Addressing | There are no addressing or street naming concerns. |

| 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?  
Yes |

| Analysis of Conformity to Plans and Planning Issues | The request is to rezone the subject property from RS9 and GO-S to GO-L. The Southwest Suburban Area Plan recommends comprehensively-planned office development for this site and the remaining RS9 zoned properties in this area. Staff supports the subject request which is consistent with said area plan. |

### 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-1155</td>
<td>R5 to R1-S (GO-S) TWO PHASE</td>
<td>Approved 6-4-84</td>
<td>Included portion of current site</td>
<td>25.7</td>
<td>Approval</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 the construction of new office building(s).</td>
<td>The request would intensify the zoning adjacent to single family homes.</td>
</tr>
<tr>
<td>The site is adjacent to other GO and GO-S zoned properties.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the recommendations of the <em>Southwest Suburban Area Plan</em>.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the GO District purpose statement.</td>
<td></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 BUILDING PERMITS:**
  - a. The developer shall contact the City of Winston-Salem Public Works Department and make payment to the City of Winston-Salem for the Sanitary Sewer Special Privilege Fee and the Stratford Road Impact Fee.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  - a. The developer shall install sidewalk along each phase's frontage on Westbrook Plaza Drive to the specifications of the City of Winston-Salem Public Works Department.

## STAFF RECOMMENDATION: **Approval**

**NOTE:** These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**
CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3119
NOVEMBER 10, 2011

PUBLIC HEARING

FOR: None
AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment with revised condition.
SECOND: Lynne Mitchell
VOTE:
  FOR: Wesley Curtis, Arnold King, Clarence Lambe, Barry Lyons, Lynne Mitchell, Paul Mullican, Brenda Smith, Allan Younger
  AGAINST: None
  EXCUSED: None

A. Paul Norby, FAICP
Director of Planning
DOCKET #: W3119

PROPOSED ZONING: GO-L

EXISTING ZONING: RS9 and GO-S

PETITIONER: Jarvis and Johnnie Hauser for property owned by Same

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRES: 4.89

NEAREST BLDG: 85' east

MAP(S): 606846

500' notification radius
Southwest Suburban Area Plan, 2008
Proposed Land Use

Land Use Classifications
- Agriculture / Large-Lot Residential
- Low-Density Residential
- Moderate-Density Residential (up to 8 du/ac)
- Intermediate-Density Residential (8-12 du/ac)
- High-Density Residential (12+ du/ac)
- Moderate-Density Residential (see text page 24)
- Office/Low-Density Commercial (see text page 27)
- Office/High-Density Residential (see text page 25)
- Institutional
- Park/Open Space
- Commercial Recreation
- Commercial/Industrial
- Mixed-Use (see text page 29)
- Industrial
- Utilities
- Activity Centers (see text and maps page 31)
- Special Land Use Conditions (see text page 34)
EXISTING RS9 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
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Academic Medical Center
Arts and Crafts Studio
Banking and Financial Services
Child Care, Drop-In
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Club or Lodge
College or University
Fraternity or Sorority
Funeral Home
Government Offices, Neighborhood Organization, or Post Office
Hospice and Palliative Care
Hospital or Health Center
Institutional Vocational Training Facility
Library, Public
Museum or Art Gallery
Nursing Care Institution
Offices
Park and Shuttle Lot
Police or Fire Station
Recreation Facility, Public
School, Vocational or Professional Services
Utilities

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care Institution
Child Care, Sick Children
Child Day Care Center
Landfill, Land Clearing/Inert Debris
Transmission Tower

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

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
The proposed special use zoning map amendment from RS9 (Residential, Single Family; 9000 sf minimum lot size) and GO-S (General Office District; and Banking and Financial Services) to GO-L (General Office-Special Use Limited District) with its added conditions is consistent with the Legacy Comprehensive Plan, and Southwest Suburban Area Plan and is reasonable and in the public interest because:

1. The request will allow for construction of new office building;
2. The site is adjacent to other GO and GO-S zoned properties; and
3. The request is consistent with the GO District purpose statement.
DENIAL
STATEMENT REGARDING CONSISTENCY WITH COMPREHENSIVE PLAN
W-3119
(JARVIS AND JOHNNIE HAUSER)

Although the proposed special use zoning map amendment from RS9 (Residential, Single Family; 9000 sf minimum lot size) and GO-S (General Office District; and Banking and Financial Services) to GO-L (General Office-Special Use Limited District) with its added conditions is consistent with the *Legacy Comprehensive Plan*, and *Southwest Suburban Area Plan*, it is not reasonable and in the public interest because the request will intensify the zoning adjacent to single family homes.