DOCKET #: W2836

PROPOSED ZONING:
GB-S (Multiple Uses - TWO PHASE)

EXISTING ZONING:
RM18

PETITIONER:
E. V. Ferrell, Jr., and Douglas Dillard for property owned by Same

SCALE: 1" represents 600'

STAFF: Roberts

GMA: 3

ACRE(S): 5.45

MAP(S): 606842
January 25, 2006

E. V. Ferrell, Jr., and Douglas Dillard
854 W. 5th Street
Winston-Salem, NC  27101

RE:    ZONING MAP AMENDMENT W-2836

Dear Mr. Ferrell and Mr. Dillard:

    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, AICP
                                      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: January 25, 2006
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Map Amendment of E. V. Ferrell, Jr., and Douglas Dillard

SUMMARY OF INFORMATION:

Zoning Map Amendment of E. V. Ferrell, Jr., and Douglas Dillard from RM-18 to GB-S [Non-Store Retailer; Shopping Center; Wholesale Trade A; Banking and Financial Services; Building Contractors, General; Funeral Home; Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; ABC Store; Arts and Crafts Studio; Building Materials Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Combined Use; Services, Business A; Services, Business B; Services, Personal; Testing and Research Lab; Veterinary Services; Recreational Services, Indoor; Recreational Services, Outdoor; Theater, Indoor; Adult Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Hospital or Health Center; Library, Public; Museum or Art Gallery; Police or Fire Station; and Post Office - TWO PHASE]: property is located on the western terminus of Hanes Square Court, south of Hanes Mall Boulevard (Zoning Docket W-2836).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS
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 RM-18 to GB-S [Non-Store Retailer; Shopping Center; Wholesale Trade A; Banking and Financial Services; Building Contractors, General; Funeral Home; Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; ABC Store; Arts and Crafts Studio; Building Materials Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Combined Use; Services, Business A; Services, Business B; Services, Personal; Testing and Research Lab; Veterinary Services; Recreational Services, Indoor; Recreational Services, Outdoor; Theater, Indoor; Adult Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Hospital or Health Center; Library, Public; Museum or Art Gallery; Police or Fire Station; and Post Office - TWO PHASE] the zoning classification of the following described property:

Commencing at an Existing Iron Pipe in the Southern Right-of-Way of Hanes Mall Blvd. (SR-3153), said Iron being being the Northeast Corner of the property of Little Creek, LLC., as recorded in D.B. 2465, Pg. 3155 and P.B. 48, Pg. 95 (Tax Block 6549, Lot 9), said Iron also being the Northwest Corner of the property of Luihn Four,Inc., as recorded in D.B. 2423, Pg. 2063 and P.B. 41, Pg. 182 of Hanes Square (Tax Block 6373, Lot 1); Thence with the property line of Little Creek, LLC., as recorded in D.B. 2465, Pg. 3155 and P.B. 48, Pg. 95 (Tax Block...
6549, Lot 9) the next two calls: (1) S 00°37'54" W a distance of 164.46' to a New Iron Pipe on the northern bank of Little Creek; (2) Thence S 00°37'54" W a distance of 15.00' to a Point in the centerline of Little Creek -being the Point and Place of Beginning, said Point being the Northeast Corner of the herein described property, said point also being the Southeast Corner of the property of Little Creek, LLC., as recorded in D.B. 2465, Pg. 3155 and P.B. 48, Pg. 95 (Tax Block 6549, Lot 9), said point also being the Southwest Corner of the property of Luihn Four,Inc., as recorded in D.B. 2423, Pg. 2063 and P.B. 41, Pg. 182 of Hanes Square (Tax Block 6373, Lot 1); Thence with the property line of Halle Properties, LLC., as recorded in D.B. 2429, Pg. 1802 and P.B. 41, Pg. 182 (Tax Block 6373, Lot 6): S 00°37'54" W a distance of 313.28' to an Existing Iron Pipe; Thence with the property line of Michael McNeil Properties, LLC., as recorded in D.B. 1841, Pg. 1849 and P.B. 41, Pg. 182 (Tax Block 6373, Lot 5) S 00°31'25" W a distance of 222.84' to an Existing Iron Pipe; Thence with the property line of Rebecca A. Baird as recorded in D.B. 1882 Pg. 2599 (Tax Block 3901, Lot 31) the next two calls: (1) S 89°44'44" W a distance of 170.09' to an Existing Iron Pipe; thence (2) S 89°44'44" W a distance of 93.97' to a Point in the centerline of a Creek; Thence with a new property line with E. V. Ferrell, Jr. and Douglas Dillard (D.B. 1631, Pg. 301) (Tax Block 3901, Lot 6L) as the property line follows the centerline of a Stream the next 13 calls: (1) N 30°12'04" W a distance of 12.40'; (2) thence S 83°37'25" W a distance of 37.85'; (3) thence N 53°00'12" W a distance of 122.48'; (4) thence N 47°43'57" W a distance of 53.46'; (5) thence N 22°05'35" W a distance of 51.30'; (6) thence N 41°13'33" W a distance of 27.47'; (7) thence N 56°57'47" W a distance of 48.35'; (8) thence N 16°45'47" W a distance of 32.87'; (9) thence N 26°10'30" W a distance of 36.66'; (10) thence N 76°04'14" W a distance of 38.50'; (11) thence N 40°39'12" W a distance of 35.38'; (12) thence N 31°33'01" W a distance of 31.54'; (13) thence N 45°46'26" W a distance of 13.33' to a Point at the Intersection of the centerline of the Stream with the centerline of Little Creek ; Thence with the property line of Little Creek, LLC., as recorded in D.B. 2465, Pg. 3155 and P.B. 49, Pg. 95 (Tax Block 6549, Lot A and Lot 9) as the property line follows the centerline of Little Creek the next 17 calls: (1) N 63°15'52" E a distance of 42.64'; (2) thence N 72°49'46" E a distance of 52.80'; (3) thence N 65°38'56" E a distance of 15.89'; (4) thence N 65°38'56" E a distance of 37.38'; (5) thence N 68°05'47" E a distance of 13.30'; (6) thence N 68°05'47" E a distance of 40.64'; (7) thence N 71°08'59" E a distance of 58.81'; (8) thence N 74°38'49" E a distance of 27.97'; (9) thence N 74°38'49" E a distance of 41.80'; (10) thence N 75°22'19" E a distance of 67.56'; (11) thence N 80°15'59" E a distance of 49.19'; (12) thence N 85°30'53" E a distance of 30.71'; (13) thence N 69°16'39" E a distance of 29.77'; (14) thence N 61°09'43" E a distance of 49.92'; (15) thence N 67°58'48" E a distance of 9.07'; (16) thence N 78°02'05" E a distance of 51.80'; (17) thence S 88°58'39" E a distance of 55.68' to a Point in the centerline Little Creek, which is the Point and Place of Beginning: containing 237189.05 square feet (5.445 acres), more or less.

Section 2. This Ordinance is adopted after approval of the site plan entitled Springhill Suites and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20___ to E. V. Ferrell, Jr., and Douglas Dillard.
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 *Springhill Suites*. 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 E. V. Ferrell, Jr., and Douglas Dillard, (Zoning Docket W-2836). 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 GB-S [Non-Store Retailer; Shopping Center; Wholesale Trade A; Banking and Financial Services; Building Contractors, General; Funeral Home; Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; ABC Store; Arts and Crafts Studio; Building Materials Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Combined Use; Services, Business A; Services, Business B; Services, Personal; Testing and Research Lab; Veterinary Services; Recreational Services, Indoor; Recreational Services, Outdoor; Theater, Indoor; Adult Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Hospital or Health Center; Library, Public; Museum or Art Gallery; Police or Fire Station; and Post Office - TWO PHASE], approved by the Winston-Salem City Council the _____ day of _____________________, 20____" and signed, provided the property is developed in accordance with requirements of the GB-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 ISSUANCE OF GRADING PERMITS:
  a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an
engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
  a. Developer shall install all required storm water management devices.
  b. Install Large Variety Trees as per UDO 3-4.10(A) along Hanes Square Court.

• OTHER REQUIREMENTS:
  a. Signage shall be limited to one (1) monument sign with a maximum height of six (6) feet per parcel.
  b. The following uses shall not be permitted within outparcel one: ABC Store; Convenience Store; and Restaurant (with drive-through service).
<table>
<thead>
<tr>
<th><strong>PETITION INFORMATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Docket #</strong></td>
</tr>
<tr>
<td><strong>Staff</strong></td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
</tr>
<tr>
<td><strong>Proposal</strong></td>
</tr>
<tr>
<td><strong>Zoning District Purpose Statement</strong></td>
</tr>
<tr>
<td><strong>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</strong></td>
</tr>
</tbody>
</table>
## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th><strong>Location</strong></th>
<th>Western terminus of Hanes Square Circle, south of Hanes Mall Boulevard</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Jurisdiction</strong></td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td><strong>Ward(s)</strong></td>
<td>Southwest</td>
</tr>
<tr>
<td><strong>Site Acreage</strong></td>
<td>Approximately ± 5.45 acres</td>
</tr>
<tr>
<td><strong>Current Land Use</strong></td>
<td>Property is undeveloped.</td>
</tr>
</tbody>
</table>

### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th><strong>Direction</strong></th>
<th><strong>Zoning District</strong></th>
<th><strong>Use</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>GB-S</td>
<td>Under construction</td>
</tr>
<tr>
<td>East</td>
<td>GB-S</td>
<td>Retail and restaurant uses</td>
</tr>
<tr>
<td>South</td>
<td>RS-9 and RM-18</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>West</td>
<td>GB-S</td>
<td>Under construction</td>
</tr>
</tbody>
</table>

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)

(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes, the proposed hotel use serves as a transitional use between the undeveloped residentially zoned property to the south and southwest and the more intensively developed and developing commercial properties to the north and east.

### Physical Characteristics

The site is primarily wooded with a moderate slope downward toward the west.

### Proximity to Water and Sewer

Public water and sewer are available to the site.

### Stormwater/Drainage

The Inspections Division recommends the developer prepare a storm water management study.

### Watershed and Overlay Districts

The site is not within a water supply watershed.

### Analysis of General Site Information

Site is suitable for the proposed improvements.

### Generalized Recommended Conditions

**BRIEF DESCRIPTION OF CONDITION(S):**
- Developer shall obtain a grading permit.
- Developer shall submit a storm water management study.

## SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th><strong>Street Name</strong></th>
<th><strong>Classification</strong></th>
<th><strong>Frontage</strong></th>
<th><strong>ADT Count</strong></th>
<th><strong>Capacity/LOS D</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Hanes Square Circle</td>
<td>Private street</td>
<td>±500’</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**
The future extension of Hanes Square Circle will provide access to the site. Hanes Square Circle connects directly to Hanes Mall Boulevard to the east and indirectly to Hanes Mall Boulevard to the west via Creekshire Way.
Planned Road Improvements

Hanes Mall Boulevard between Westgate Plaza Drive and Jonestown Road is to be widened to a multi lane, median divided facility with two through lanes in each direction. Appropriate turn lanes at intersections will also be included. The northbound bridge section over I-40 will be three lanes and the southbound bridge section will be two lanes in width. The construction contract for this improvement has recently been let by NCDOT and the anticipated completion date is Fall of 2007.

Trip Generation - Existing/Proposed

- **Existing Zoning:** RM-18
  5.45 acres x 98 units x 6.59 (Multifamily Trip Rate) = 646 Trips per Day

- **Proposed Zoning:** GB-S (excluding TWO PHASE Outparcels 1 and 2)
  90 rooms x 8.92 (Hotel Trip Rate) = 803 Trips per Day

Sidewalks

Additional sidewalks have been recommended within the site to connect to the future sidewalk system along the adjoining Creekshire Way.

Transit

- **Route 43 along Hanes Mall Boulevard**

Connectivity

The site plan shows an access easement connecting to the adjacent GB-S zoned properties to the east and west.

Traffic Impact Study (TIS)

The Winston-Salem Department of Transportation has recommended the TIS submitted for the adjacent Lifesytle Center on Hanes Mall Boulevard Development, W-2670, be revised.

Analysis of Site Access and Transportation Information

Access to the site is adequate. The revised site plan includes additional sidewalk linkages throughout the site.

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**

Growth Management Area 3 (Suburban Neighborhoods)

**Relevant Legacy Recommendations**

*Legacy* recommends encouraging infill, redevelopment, and reuse of vacant or underutilized parcels within developed areas increases densities. Several studies conducted in different cities during the past fifteen years have found that increasing density is one of the most effective measures to increase transit rider ship and makes transit more viable. Infill and redevelopment also supports the efficient provision and use of transit and promotes walking. *(p. 51)* *Legacy* also recommends concentrating economic development activity in locations identified in the *Legacy* development guide including Winston-Salem’s Downtown, Activity Centers, and urbanized areas with established infrastructure. *(p. 77)*

**Relevant Area Plan(s)**

*South Stratford Road Development Guide* (1989)

**Area Plan Recommendations**

The Guide recommends residential – low density 0-5 du/ac for the subject property.
(S)(3) - Have changing conditions substantially affected the area in the petition?

The area surrounding the site has developed rapidly with large scale commercial projects in recent years.

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

Yes

Analysis of Conformity to Plans and Planning Issues

Although the area plan recommends low density residential for the subject property, the site is already zoned RM-18 and the majority of the surrounding property is zoned either RM-18 or GB-S. Planning staff sees the proposed request, particularly with the hotel on the southern portion of the site, as providing a reasonable transition between said adjacent zoning patterns. Staff notes that it is anticipated the remaining RM-18 property, located to the southwest, will be developed accordingly with high density residential to provide a much needed mixture of uses in this area. To ensure a greater measure of compatibility between the subject property and said existing RM-18 property, staff recommends removal of some of the more intensive uses included in the request for outparcel one (a TWO PHASE lot). Planning staff also recommends that large variety trees be used both sides of Hanes Square Circle.

Generalized Recommended Conditions

BRIEF DESCRIPTION OF CONDITION(S):

- Freestanding signage shall be limited to one sign per parcel with a maximum height of 6’.
- Install large variety trees along Hanes Square Court.

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-2818</td>
<td>GB-S Site Plan Amendment</td>
<td>Pending City Council review</td>
<td>Directly west</td>
<td>32</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2253</td>
<td>GB-S (Outdoor Display Retail) to GB-S (Multiple Business Uses)</td>
<td>Approved 11-2-98</td>
<td>Directly east</td>
<td>10.45</td>
<td>Approval</td>
</tr>
</tbody>
</table>

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Parking (Hotel site only)</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>90 spaces</td>
<td>90 spaces</td>
<td>In front of building</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height (Hotel site only)</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>60’</td>
<td>4 story</td>
</tr>
<tr>
<td>Impervious Coverage (Hotel site only)</td>
<td>Maximum</td>
<td>Proposed</td>
</tr>
<tr>
<td>--------------------------------------</td>
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<tr>
<td></td>
<td>100%</td>
<td>58.43%</td>
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<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
<th></th>
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<tr>
<td>• Chapter B, Article II, Section 2-1.3 (J) GB District</td>
<td></td>
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<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
<th></th>
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<tbody>
<tr>
<td>(A) Legacy policies:</td>
<td>Yes</td>
</tr>
<tr>
<td>(B) Environmental Ord.</td>
<td>N/A</td>
</tr>
<tr>
<td>(C) Subdivision Regulations</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Analysis of Site Plan Compliance with UDO Requirements</th>
<th></th>
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<tbody>
<tr>
<td>The revised site plan complies with the requirements of the UDO.</td>
<td></td>
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</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>Proposed hotel use will provide a transition between the surrounding GB-S and RM-18 zoning districts.</td>
<td>Request will provide a connection between existing and future developments in the general area.</td>
</tr>
</tbody>
</table>

**SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

**PRIOR TO ISSUANCE OF GRADING PERMITS:**

- a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**

- a. Developer shall install all required storm water management devices.
- c. Install Large Variety Trees as per UDO 3-4.10(A) along Hanes Square Court.

**OTHER REQUIREMENTS:**

- a. Signage shall be limited to one (1) monument sign with a maximum height of six (6) feet per parcel.
- b. The following uses shall not be permitted within outparcel one: ABC Store; Convenience Store; and Restaurant (with drive-through service).

**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.**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Dara Folan moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions with the additional conditions that limited use be allowed on outparcel #1 and that condition "b" under "Prior to the Issuance of Occupancy Permits" regarding UDO 142/148 be deleted.

SECOND: Jerry Clark

VOTE:

FOR: Clark, Curtis, Eickmeyer, Folan, Glenn, King, Smith

AGAINST: None

EXCUSED: None

_______________________

A. Paul Norby, AICP
Director of Planning