DOCKET #: W2840

PROPOSED ZONING:
Site Plan Amendment

EXISTING ZONING:
HB-S (Multiple Business Uses)

PETITIONER:
Blue Oak Limited Partnership
for property owned by
Same

SCALE: 1" represents 400'
STAFF: King
GMA: 3
ACRE(S): 1.04
MAP(S): 618890, 624890
February 22, 2006

Blue Oak Limited Partnership  
500 Henley Street  
Knoxville, TN  37902

RE: SITE PLAN AMENDMENT W-2840

Dear Sirs:

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  
Steve Jenkins, 94 Edwin Place, Asheville, NC  28801
## ACTION REQUEST FORM

<table>
<thead>
<tr>
<th>DATE:</th>
<th>February 22, 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM:</td>
<td>A. Paul Norby, AICP, Director of Planning</td>
</tr>
</tbody>
</table>

### COUNCIL ACTION REQUEST:

Request for Public Hearing on Site Plan Amendment of Blue Oak Limited Partnership

### SUMMARY OF INFORMATION:

Site Plan Amendment of Blue Oak Limited Partnership for a HB-S [Adult Day Care Center; Recreation Services, Indoor; Recreation Services, Outdoor; Arts and Crafts Studio; Broadcast Studio; Child Day Care Center; Medical or Dental Laboratory; Restaurant (with drive-through service); Restaurant (without drive-through service); Hospital or Health Care Center; Health Services, Miscellaneous; Building Materials Supply; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Convenience Store; Car Wash; Food or Drug Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; and Motor Vehicle Repair and Maintenance] zoned site: property is located on the southwest corner of Hanes Mill Road and North Summit Square Boulevard (Zoning Docket W-2840).

### PLANNING BOARD ACTION:

<table>
<thead>
<tr>
<th>MOTION ON PETITION:</th>
<th>APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOR:</td>
<td>UNANIMOUS</td>
</tr>
<tr>
<td>AGAINST:</td>
<td>NONE</td>
</tr>
<tr>
<td>SITE PLAN ACTION:</td>
<td>CONFORMS</td>
</tr>
</tbody>
</table>
CITY ORDINANCE - SPECIAL USE

Site Plan Amendment of Blue Oak Limited Partnership, Docket W-2840

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 granting a Site Plan Amendment for property zoned HB-S [Adult Day Care Center; Recreation Services, Indoor; Recreation Services, Outdoor; Arts and Crafts Studio; Broadcast Studio; Child Day Care Center; Medical or Dental Laboratory; Restaurant (with drive-through service); Restaurant (without drive-through service); Hospital or Health Care Center; Health Services, Miscellaneous; Building Materials Supply; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Convenience Store; Car Wash; Food or Drug Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; and Motor Vehicle Repair and Maintenance- Site Plan Amendment] and described as follows:

Tax Block 6329, Tax Lot 008

Section 2. This Ordinance is adopted after approval of the site plan entitled Blue Oak Limited Partnership/Shoppes at University and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20___ to Blue Oak Limited Partnership.
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 Blue Oak Limited Partnership/Shoppes at University. 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 Blue Oak Limited Partnership, (Zoning Docket W-2840). 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 [Adult Day Care Center; Recreation Services, Indoor; Recreation Services, Outdoor; Arts and Crafts Studio; Broadcast Studio; Child Day Care Center; Medical or Dental Laboratory; Restaurant (with drive-through service); Restaurant (without drive-through service); Hospital or Health Care Center; Health Services, Miscellaneous; Building Materials Supply; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Convenience Store; Car Wash; Food or Drug Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; and Motor Vehicle Repair and Maintenance - Site Plan Amendment], 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 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. Developer shall obtain a driveway permit from WSDOT.
  b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem.
• **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All requirements of the WSDOT driveway permit shall be completed. Improvements include:
     • Installation of sidewalks along the frontage of Hanes Mill Road and North Summit Square Boulevard.
     • Installation of curb and gutter along the frontage of Hanes Mill Road.
  b. Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department.

• **OTHER REQUIREMENTS:**
  a. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet.
  b. All on site lighting shall be a maximum of 18 feet tall and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent properties.
**PETITION INFORMATION**

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2840</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Aaron King</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Blue Oak Limited Partnership</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 8, Tax Block 6329</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Site plan amendment to an approved HB-S site plan for a multi-tenant retail building.</td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting to amend the Official Zoning Maps for the subject property **from** HB-S (Highway Business – Special Use Zoning) **to** Site Plan Amendment. The following uses have been previously approved and are part of this request:

- Adult Day Care Center; Recreation Services, Indoor; Recreation Services, Outdoor; Arts and Crafts Studio; Broadcast Studio; Child Day Care Center; Medical or Dental Laboratory; Restaurant (with drive-through service); Restaurant (without drive-through service); Hospital or Health Care Center; Health Services, Miscellaneous; Building Materials Supply; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Convenience Store; Car Wash; Food or Drug Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; and Motor Vehicle Repair and Maintenance.

**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, 3, and 4.

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>Southwest corner of Hanes Mill Road and North Summit Square Boulevard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Northeast</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 1.04 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Undeveloped land</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>HB-S</td>
<td>Restaurant</td>
</tr>
<tr>
<td>East</td>
<td>HB-S</td>
<td>Bank &amp; Car Wash</td>
</tr>
<tr>
<td>South</td>
<td>HB-S</td>
<td>ABC Store</td>
</tr>
<tr>
<td>West</td>
<td>HB-S</td>
<td>Bank</td>
</tr>
</tbody>
</table>

### Physical Characteristics
The site contains a topography that slopes down from north (890 ft.) to south (864 ft.).

### Proximity to Water and Sewer
The subject property has access to public water and public sanitary sewer.

### Stormwater/Drainage
No known issues

### Watershed and Overlay Districts
The subject property is not located within the boundaries of a water supply watershed.

### Analysis of General Site Information
The subject property is approximately 1.04 acres in size and is located at the southwest corner of Hanes Mill Road and North Summit Square Boulevard. The site contains a gentle topography that slopes down from north to south. The property is currently undeveloped and covered with low growth vegetation. No streams or wetlands are located on the site.

### Generalized Recommended Conditions

<table>
<thead>
<tr>
<th>BRIEF DESCRIPTION OF CONDITION(S):</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Condition for stormwater study</td>
</tr>
</tbody>
</table>

## 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>Hanes Mill Road</td>
<td>Major Thoroughfare</td>
<td>+/- 258 feet</td>
<td>8,900</td>
<td>30,100</td>
</tr>
<tr>
<td>North Summit Square Blvd.</td>
<td>Local Road</td>
<td>+/- 192 feet</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

### Proposed Access Point(s)
The site plan indicates that there will be one access point onto North Summit Square Boulevard located at the southeast corner of the property.

### Planned Road Improvements
The Thoroughfare Plan recognizes this section of Hanes Mill Road as adequate for vehicular movements, but does recommend that sidewalk be installed.

### Sidewalks
Several recent Final Development Plans in the area have included sidewalks.

### Transit
Route 44 runs along Hanes Mill Road.

### Traffic Impact Study (TIS)
Not required

### Analysis of Site Access and Transportation Information
Access to the site will come via a shared driveway onto North Summit Square Boulevard located at the southeast corner of the property. Traffic circulation will be oriented around the proposed building located in the approximate middle of the site. Forty-two spaces are provided, which is one more than the UDO requires. As part of this request, the developer will be required to install sidewalks along both road frontages. Curb and gutter installation will be required along the frontage of Hanes Mill Road.
## Generalized Recommended Conditions

**BRIEF DESCRIPTION OF CONDITION(S):**
- Obtain WSDOT driveway permit
- Condition to repair any damaged sidewalk or curb

## CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**
- GMA 3 (Suburban Neighborhoods)

**Relevant Legacy Recommendations**
- *Legacy* proposes to accomplish more compact development in the county in part by concentration and intensifying development in and around designated Metro Activity Centers (MAC)

**Relevant Area Plan(s)**
- *North Suburban Area Plan (2005)*

**Area Plan Recommendations**
- The North Suburban Area plan calls for commercial development to occur at and around activity centers. The subject property is located within the Reynolda/Fairlawn MAC and is consistent with its governing area plan.

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

## Analysis of Conformity to Plans and Planning Issues

- The request is in conformance with the recommendations of *Legacy* and the *North Suburban 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>
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<tbody>
<tr>
<td>W-2455</td>
<td>HB-S to HB-S</td>
<td>Approved April 2, 2001</td>
<td>Subject property</td>
<td>1.04</td>
<td>Approval</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Approval</td>
</tr>
</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking</td>
<td>41 spaces</td>
<td>42 spaces</td>
<td>Various locations</td>
</tr>
<tr>
<td>Building Height</td>
<td>Maximum</td>
<td>Proposed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>60 feet</td>
<td>24 feet</td>
<td></td>
</tr>
<tr>
<td>Impervious Coverage</td>
<td>Maximum</td>
<td>Proposed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>85%</td>
<td>65.38%</td>
<td></td>
</tr>
</tbody>
</table>

### UDO Sections Relevant to Subject Request
- Section 2-1.3(I) HB District

### Complies with Chapter B, Article VII, Section 7-5.3
- (A) *Legacy* policies: Yes
- (B) *Environmental Ord.*: Yes
- (C) Subdivision Regulations: NA
Analysis of Site Plan Compliance with UDO Requirements

The site plan submitted with this request retains much of the same design as the original approved site plan. Both site plans show a building located in the middle of the property with parking located along the periphery of the site. This site plan proposes a 6,000 square foot building, divided into three sections. Staff has recommended that two of the striped areas in the parking lot become landscape islands, and also to revise the loading space location.

Generalized Recommended Conditions

BRIEF DESCRIPTION OF CONDITION(S):
- Signage condition
- Lighting condition

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 is consistent with the original approved site plan.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the recommendations of the North Suburban Area Plan.</td>
<td></td>
</tr>
</tbody>
</table>

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

a. Developer shall obtain a driveway permit from WSDOT.
b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

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   - Installation of curb and gutter along the frontage of Hanes Mill Road.
b. Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department.

OTHER REQUIREMENTS:

a. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet.
b. All on site lighting shall be a maximum of 18 feet tall and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent properties.

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: Paul Mullican moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Clarence Lambe
VOTE:
   FOR: Clark, Eickmeyer, Folan, King, Lambe, Mullican, Smith
   AGAINST: None
   EXCUSED: None

A. Paul Norby, AICP
Director of Planning