DOCKET #: W2844

(continued from 4/13/2006)

PROPOSED ZONING:
MRB-S (Multiple Business Uses)

EXISTING ZONING:
RS9

PETITIONER:

SCALE: 1" represents 600'

STAFF: Roberts

GMA: 3

ACRE(S): 36.91

MAP(S): 624830
June 21, 2006

Land Planning Associates of NC, Inc.
c/o Patrick Rivers
312 Watson Road
Easley, SC  29642

RE:  ZONING MAP AMENDMENT W-2844

Dear Mr. Rivers:

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
     Grace Baptist Temple, 3305 Peters Creek Parkway, Winston-Salem, NC  27127
     Doug Stimmel, RLA, ASLA, 601 N. Trade Street, Suite 200, Winston-Salem, NC  27101
     Jemsite Development, LLC, Melvin Cline, P. O. Box 1000, Jefferson, NC  28640
ACTION REQUEST FORM

DATE: June 21, 2006
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:


SUMMARY OF INFORMATION:

Zoning Map Amendment of Land Planning Associates of NC, Inc./Jemsite Development, LLC for property owned by Grady L. Estep et al, Joseph A. Harrison, Thelma James Craver, Lillian James Snapp, William H. West, Jr., and Grace Baptist Temple, Inc. from RS-9 to MRB-S [Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Urban; Boarding or Rooming House; Combined Use; Congregate Care Facility; Family Group Home A, B, C; Life Care Community; 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; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store - Retail; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Wholesale Trade A; Banking and Financial Services; Bed & Breakfast; Building Contractors, General; Car Wash; Funeral Home; Health Services, Miscellaneous; Hotel or Motel; Kennels; Medical or Dental Laboratory; Medical or Surgical Offices; Motor Vehicle, Repair and Maintenance; Non-Store Retailer; Offices, Miscellaneous; Professional Offices; Services, Business A and B; Services, Personal; Testing and Research Lab; Veterinary Services; Golf Driving Range; Recreational Services, Indoor and Outdoor; Recreational Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Medical Center; Adult Day Care Home;

(CONTINUED ON NEXT PAGE)

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS
Adult Day Care Center; Animal Shelter, Public; Child Care (Drop-in); Child Care (Sick Children); Child Day Care Center; Child Day Care, Large Home; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices; Hospice and Palliative Care; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Limited Campus Uses; Museum or Art Gallery; Neighborhood Organization; Nursing Care Institution; Police or Fire Station; Post Office; School, Private and Public; School, Vocational or Professional; Broadcast Studio; Terminal, Bus or Taxi; and Transmission Tower]: property is located on the northwest corner of Peters Creek Parkway and West Clemmonsville Road Extension (future) (Zoning Docket W-2844).
CITY ORDINANCE - SPECIAL USE


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 RS-9 to MRB-S [Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Urban; Boarding or Rooming House; Combined Use; Congregate Care Facility; Family Group Home A, B, C; Life Care Community; 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; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store - Retail; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Wholesale Trade A; Banking and Financial Services; Bed & Breakfast; Building Contractors, General; Car Wash; Funeral Home; Health Services, Miscellaneous; Hotel or Motel; Kennels; Medical or Dental Laboratory; Medical or Surgical Offices; Motor Vehicle, Repair and Maintenance; Non-Store Retailer; Offices, Miscellaneous; Professional Offices; Services, Business A and B; Services, Personal; Testing and Research Lab; Veterinary Services; Golf Driving Range; Recreational Services, Indoor and Outdoor; Recreational Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Medical Center; Adult Day Care Home; Adult Day Care Center; Animal Shelter, Public; Child Care (Drop-in); Child Care (Sick Children); Child Day Care Center; Child
Day Care, Large Home; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices; Hospice and Palliative Care; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Limited Campus Uses; Museum or Art Gallery; Neighborhood Organization; Nursing Care Institution; Police or Fire Station; Post Office; School, Private and Public; School, Vocational or Professional; Broadcast Studio; Terminal, Bus or Taxi; and Transmission Tower] the zoning classification of the following described property:


Section 2. This Ordinance is adopted after approval of the site plan entitled Grady L. Estep et al, Thelma J. Craver, and Lillian J. Snapp and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20__ to Land Planning Associates of NC, Inc./Jemsite Development, LLC for property owned by Grady L. Estep et al, Joseph A. Harrison, Thelma James Craver, Lillian James Snapp, William H. West, Jr., and Grace Baptist Temple, Inc.

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 Grady L. Estep et al, Thelma J. Craver, and Lillian J. Snapp. 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.
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 Land Planning Associates of NC, Inc./Jemsite Development, LLC for property owned by Grady L. Estep et al, Joseph A. Harrison, Thelma James Craver, Lillian James Snapp, William H. West, Jr., and Grace Baptist Temple, Inc., (Zoning Docket W-2844). 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 MRB-S [Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Urban; Boarding or Rooming House; Combined Use; Congregate Care Facility; Family Group Home A, B, C; Life Care Community; 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; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store - Retail; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Wholesale Trade A; Banking and Financial Services; Bed & Breakfast; Building Contractors, General; Car Wash; Funeral Home; Health Services, Miscellaneous; Hotel or Motel; Kennels; Medical or Dental Laboratory; Medical or Surgical Offices; Motor Vehicle, Repair and Maintenance; Non-Store Retailer; Offices, Miscellaneous; Professional Offices; Services, Business A and B; Services, Personal; Testing and Research Lab; Veterinary Services; Golf Driving Range; Recreational Services, Indoor and Outdoor; Recreational Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Medical Center; Adult Day Care Home; Adult Day Care Center; Animal Shelter, Public; Child Care (Drop-in); Child Care (Sick Children); Child Day Care Center; Child Day Care, Large Home; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood;
Club or Lodge; College or University; Government Offices; Hospice and Palliative Care; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Limited Campus Uses; Museum or Art Gallery; Neighborhood Organization; Nursing Care Institution; Police or Fire Station; Post Office; School, Private and Public; School, Vocational or Professional; Broadcast Studio; Terminal, Bus or Taxi; and Transmission Tower], approved by the Winston-Salem City Council the _____ day of _____________________, 20____ “ and signed, provided the property is developed in accordance with requirements of the MRB-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 ANY PERMITS**
  a. Developer shall obtain all necessary permits from the NC Division of the Environment and Natural Resources (DENR) and the USA Corps of Engineers.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  a. Developer shall obtain a demolition permit from the Inspections Division prior to the removal of the existing structures on the site.
  b. Developer shall obtain driveway permits from WSDOT and NCDOT; additional improvement may be required prior to issuance of the permits.
  c. 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.
  d. Developer shall obtain approval of all retaining walls from the Inspections Division.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  a. Any retaining wall shall be earth tone in color or shall match the color of the primary building as approved by Planning staff.
  b. All proposed buildings (exclusive of the building on the outparcel located at the corner of Peters Creek Parkway and West Clemmonsville Road Extension) shall be consistent with the building elevations as shown in Exhibits A, B, C, D, E and F as approved by Planning staff.
  c. A private access and cross parcel access easement agreement from West Clemmonsville Road and Peters Creek Parkway to the driveway connections to the northern and western property lines shall be recorded.
d. Developer shall contact the Winston-Salem Transit Authority (WSTA) to inquire about possible extensions of Route 13 to the proposed development. If the route can be extended, the developer shall coordinate with WSTA for a covered bus stop with sidewalk access to the Lowe’s building. Any required transit stop or shelter recommended by WSTA in the shopping center, along Peters Creek Parkway, or along West Clemmons Moore Road Extension shall be installed or completed by the developer prior to the issuance of occupancy permits.

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

a. Developer shall install all the improvements recommended in the Traffic Impact Study (TIS) and by the requirements specified in the driveway permits to the specifications of the Public Works Department of the City of Winston-Salem and the North Carolina Department of Transportation.

b. All required fire hydrants shall be installed in accordance with the City Fire Department.

c. Site will be developed in accordance with the approved site plan.

d. Developer shall construct the improvements along Peters Creek Parkway and West Clemmons Moore Road per the approved TIS and per the recommendations of the City of Winston-Salem Department of Public Works. Said improvements shall include: construction of right turn lanes along Peters Creek Parkway and West Clemmons Moore Road Extension; additional right-of-way dedication on West Clemmons Moore Road; signalization at the site’s main entrance on West Clemmons Moore Road Extension across from the Wal Mart entrance; and the installation of a raised median in West Clemmons Moore Road. The improvements to West Clemmons Moore Road extension may be satisfied with payment in lieu.

**OTHER REQUIREMENTS**

a. Development shall be permitted two (2) freestanding, fifteen (15) foot high monument signs with a fifty-four (54) square foot sign area at the main entrance to the development along Peters Creek Parkway and West Clemmons Moore Road Extension. Each outparcel within the site shall be permitted one (1) freestanding, six (6) foot high monument sign with a thirty-six (36) square foot sign area. Signs with electronic changeable (LED) copy areas shall be prohibited.

b. Landscaping materials shall be consistent with that shown on sheet LS 01, Landscape Plan, of the approved site plan.

c. On-site lighting shall be consistent with that shown on sheet PH 1 Photometric Plan, of the approved site plan.

d. Developer shall stabilize slopes within 15 days of achieving final grade.

e. The subject property and developer are subject to all of the requirements specified in Article B, Chapter III, Section 3-12, design requirements for Large Scale Retail Developments of the UDO.

f. Developer shall agree to restrict the future development of the outparcel lot located at the corner of Peters Creek Parkway and West Clemmons Moore Road Extension (Outparcel D) to a multi-storied building with ground floor office and/or retail, and retail, office and/or residential units on the upper floor(s) with flexibility allowed for the front/side street setbacks, parking, etc., per the MRB-S District standards. Specifically:

(1) The outparcel building will include two functional stories;
(2) The design of the outparcel building will incorporate materials, colors, and architectural features that match or complement the Lowe’s building;
(3) The outparcel building will be sited so that it will be placed towards the southeast corner of the outparcel, with no parking or drive aisles between the building and the street;
(4) The front yard setback may be reduced as stipulated on the MRB-S zoning ordinance; and,
(5) The required parking on the outparcel may be reduced per MRB-S zoning ordinance.

g. Remaining outparcels along Peters Creek Parkway shall have parking spaces located no closer to Peters Creek Parkway than the proposed buildings.
h. Developer shall be required to extend the culvert under the site’s main driveway the maximum length allowed by their Army Corp of Engineer Nationwide permit. The City will install the remaining length necessary to join the Developer’s culvert with the culvert under West Clemmons Road. Developer shall grant access to the City to perform the work as described above. The City and Developer shall negotiate the final grading over the culvert extension. Upon completion of West Clemmons Road and culvert connection, the City of Winston-Salem’s maintenance of the culvert shall end at the right-of-way of West Clemmons Road Extension. The remainder of the culvert will be maintained by the Developer.

Lowe’s Outparcels Volunteered Conditions:

1. All outparcels shall receive final approval through a staff level “Staff Change” review process to ensure compliance with all MRB-S District Requirements of Section B-2-1.3(L) of the UDO, all Design Requirements for Large Scale Retail Developments of Section B-3-12.1 of the UDO, and all conditions of approval from the overall project for the outparcel end user/purchaser. To provide clear direction and formalize this review process, all outparcel developments associated with this project shall comply with the following:

   a. Basic layout, square footage, height, and building placement for each outparcel lot shall have only minimal flexibility for adjustment. More substantial adjustments, as determined by Planning staff, shall be reviewed through the Site Plan Amendment process;
   b. All buildings shall incorporate similar design elements, materials, and colors as the approved building elevations for the principal building on the site. Further, all applicable architectural design requirements from the Design Requirements for Large Scale Retail Development of Section B-3-12.1 of the UDO shall be reflected on the required building elevations;
   c. Outparcel development plans shall first be submitted to the Planning Department for a Development Review Committee meeting (commonly referred to as the Friday morning meeting) to receive preliminary feedback. Plans submitted for this review shall include enough information to determine compliance with the MRB-S District Requirements of Section B-2-1.3(L) and the Design Requirements for Large Scale Retail Developments of Section B-3-12.1 of the UDO, including architectural elevations, colored renderings, details sheets, etc.;
d. Following the preliminary review, a formal “Staff Change” application, and all specified supporting documentation, shall be submitted to the Planning Department. These plans and supporting documentation shall demonstrate compliance with the MRB-S District Requirements of Section B-2-1.3(L) of the UDO, the Design Requirements for Large Scale Retail Developments of Section B-3-12.1 of the UDO, all applicable conditions of approval for the overall project, and all agreed upon recommendations from the Development Review Committee meeting; and

e. Following approval of the plans for individual outparcels through the “Staff Change” review process, the overall master plan for project shall be updated to reflect the newly approved outparcel layout.
CITY-COUNTY PLANNING BOARD STAFF  
STAFF REPORT FOR: Docket # W-2844  
June 8, 2006

<table>
<thead>
<tr>
<th>PETITION INFORMATION</th>
</tr>
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<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>
</tbody>
</table>

W-2844 June 2006
### Zoning District Purpose Statement

The purpose of the MRB-S District Section is to ensure that major retail projects are adequately analyzed through site plan review and supplemental criteria in order to determine their compatibility with the surrounding community. This district is characterized by large sized, destination shopping in a single structure, or as part of a large shopping center. The potential individual and cumulative impact upon the community as a result of the large-scale retail development shall receive a comprehensive review under the established criteria. The establishment of a Major Retail & Business District does not establish justification for future large-scale retail zoning in the area. Therefore the community’s natural, physical, economic and fiscal resources, and their adequacy to accommodate the impact of such developments, both individually and cumulatively shall be fully evaluated. This District is intended for application in Growth Management Areas 1, 2, and 3, and within a designated Metro Activity Center, and shall be applied as a Special Use District.

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

(S)(I) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Northwest corner of Peters Creek Parkway and West Clemmonsville Road Extension (future)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>South</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 36.91</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Site is undeveloped with the exception of a few single family homes.</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>RS-9</td>
<td>Undeveloped and single family homes</td>
</tr>
<tr>
<td>East</td>
<td>IP and IP-S</td>
<td>Two churches</td>
</tr>
<tr>
<td>South</td>
<td>MRB-S</td>
<td>Wal Mart (under construction)</td>
</tr>
<tr>
<td>West</td>
<td>RS-9</td>
<td>Undeveloped and single family homes</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?
---|---
The proposed uses are compatible with the recently approved Wal-Mart and associated outparcels across West Clemmonsville Road Extension (future).

Physical Characteristics | The site generally has a moderate slope downward toward the central portion of the site which is traversed by Sides Creek, a tributary to South Fork of Muddy Creek. The National Wetlands Inventory Map (Winston-Salem West USGS Quad) does not show a wetland on the subject property. However, the site plans submitted for development on the subject property denote a wetland in the central part of the petition site. The petitioner is responsible for complying with all State and Federal wetland regulations, including securing appropriate permits from the NC Department of Environment and Natural Resources and the US Army Corp of Engineers for any wetlands impact.

Proximity to Water and Sewer | Public water and sewer are available to the site.

Stormwater/Drainage | No known issues. A storm water study is recommended. The site plan shows two storm water management ponds.

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

Analysis of General Site Information | With extensive grading and the two proposed crossings of Sides Creek, the site is adequate for the proposed improvements.

Generalized Recommended Conditions | BRIEF DESCRIPTION OF CONDITION(S):
- Developer shall obtain all necessary permits from the NC Division of the Environment and Natural Resources (DENR) and the US Army Corps of Engineers.
- Developer shall provide a storm water study.

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>Peters Creek Parkway</td>
<td>Major Thoroughfare</td>
<td>±1,075’</td>
<td>19,100</td>
<td>48,000</td>
</tr>
<tr>
<td>West Clemmonsville Road Extension (proposed)</td>
<td>Major Thoroughfare</td>
<td>1,368’</td>
<td>Road is currently unimproved</td>
<td>Road is currently unimproved</td>
</tr>
</tbody>
</table>

Proposed Access Point(s) | Peters Creek Parkway (right-in, right-out) and West Clemmonsville Road Extension (proposed)

Planned Road Improvements | Peters Creek Parkway has been widened to a four lane divided facility with a median. Sidewalks are also recommended along both sides of Peters Creek Parkway. The Thoroughfare Plan proposes an extension of West Clemmonsville Road from Old Salisbury Road to Peters Creek Parkway. Bond monies have been approved for this multi-lane, controlled access facility and the construction plans are currently being reviewed.
The recently approved Wal-Mart is responsible for constructing this four lane median divided facility with appropriate turn lanes and sidewalks across their frontage. Wal-Mart is also responsible for installing a traffic signal at the Peters Creek Parkway/West Clemmonsville Road Extension intersection.

As per NCDOT and WSDOT, the current petitioner shall be responsible for the following: construction of right turn lanes along Peters Creek Parkway and West Clemmonsville Road Extension; additional right-of-way dedication on West Clemmonsville Road; signalization at the sites main entrance on West Clemmonsville Road Extension across from the Wal Mart entrance; and the installation of a raised median in West Clemmonsville Road.

### Trip Generation - Existing/Proposed

<table>
<thead>
<tr>
<th>Existing Zoning: RS-9</th>
<th>Proposed Zoning: MRB-S</th>
</tr>
</thead>
<tbody>
<tr>
<td>36.91 x 43,560 sf / 9,000 sf = 178 units x 9.57 (SFR Trip) = 1,703 Trips per Day</td>
<td>208,770 sf / 1,000 sf x 39.71 (Building Materials and Lumber Trip Rate) = 8,290 Trips per Day + 24,750 sf / 1,000 sf x 130.34 [High- Turnover (Sit Down) Restaurant Trip Rate] = 3,226 Trips per Day = 7 fueling stations x 162.78 Gasoline Service Station w/ Convenience Market Trip Rate) = 1,139 Trips per Day = 12,655 Total Trips per Day.</td>
</tr>
</tbody>
</table>

### Sidewalks

No sidewalks are currently located in the general area. Sidewalks were required along Peters Creek Parkway and the southern side of West Clemmonsville Road Extension as per the Wal Mart rezoning. Sidewalks are shown as required along Peters Creek Parkway and West Clemmonsville Road with lateral connections linking the public walks along both fronting streets to the front of the store as per the design requirements of major retail developments. Lateral connections are also shown, as recommended, for each outparcel. Staff has recommended some additional linkages and parking/driveway crosswalks.

### Transit

No transit is currently available; however, Route 13 may eventually be extended south down Peters Creek Parkway. The applicant has agreed to plan for a future transit stop along Peters Creek Parkway.

### Connectivity

Staff recommends a connection to the adjacent property to the north and west.

### Traffic Impact Study (TIS)

The required TIS has been submitted. The proposed transportation improvements are noted above. WSDOT and NCDOT have evaluated the TIS and are satisfied with the recommendations if adjustments are made.

### Analysis of Site Access and Transportation Information

Access to the site is adequate. The site plan proposes a right-in, right-out onto Peters Creek Parkway at the northern end of the site along with two right-in, right-outs and one full access signalized connection to the future West Clemmonsville Road Extension.

### Generalized Recommended Conditions

**BRIEF DESCRIPTION OF CONDITION(S):**

- Obtain a driveway permit from NCDOT and WSDOT.
- Record access easements to the adjacent properties to the north and west.
## CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>GMA 3 (Suburban Neighborhoods); also located within the City South Metro Activity Center (MAC)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Relevant Legacy Recommendations</strong></td>
<td>Legacy promotes economic development which is compatible with existing residential neighborhoods and other business developments. Legacy identifies the subject property as being located within the City South Metro Activity Center (MAC) (Map 3.1, page 29). A MAC is a focal point for community-wide activities, including working, shopping, and living. MACs should be accessed by a balanced system of major thoroughfares, surface streets and public transportation, should emphasize pedestrian access for internal movement, and should have urban design features and mixed-use development as key elements. Legacy also includes a chapter called “Community Character”. The stated goal of that chapter is “A distinctive image that makes the communities within Forsyth County unique and special places.” That goal is a reaction to the homogenizing effect of franchise architecture and site planning that has helped turn many communities into “Anywhere, USA”. The chapter goes on to note that national chains can be encouraged and, if necessary, required to make their buildings distinctive in order to enhance the attractive features that make our community special. The chapter also notes the correlation between a community’s physical design and appearance, and its economic vitality. The appearance of commercial areas, as well as downtowns and neighborhoods, is an important part of the Community’s image and that image plays into decisions about relocation of new businesses and/or residents to our community. One of the action items in Legacy is to develop design guidelines for large scale retail development to ensure that they contribute to the unique character of the local area. This action item was addressed with the adoption of UDO-118 which established the MRB-S District.</td>
</tr>
<tr>
<td><strong>Relevant Area Plan(s)</strong></td>
<td>The site is not within the boundaries of an area plan or development guide.</td>
</tr>
<tr>
<td><strong>Thoroughfare Plan Information</strong></td>
<td>See comments above under Planned Road Improvements.</td>
</tr>
<tr>
<td><strong>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</strong></td>
<td>(S)(3) - Have changing conditions substantially affected the area in the petition? Yes, see comments below.</td>
</tr>
<tr>
<td></td>
<td>(S)(4) - Is the requested action in conformance with Legacy? Yes, see comments below.</td>
</tr>
<tr>
<td><strong>Analysis of Conformity to Plans and Planning Issues</strong></td>
<td>Legacy recommends the general area surrounding the subject property to be developed as the City South Metro Activity Center. While much of this area is sparsely developed, the future West Clemmonsville Road Extension project and the recently approved Wal-Mart Super Center directly south of the subject property will substantially change the character of this portion of the community. These developments, along</td>
</tr>
</tbody>
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with the subject request, will be major contributors to the formation of the City South MAC.

The subject request includes the primary site for the Lowe’s Home Improvement center along with five outparcels ranging in size from 1.53 to 2.32 acres in size. Due to the size of said proposed business, the request triggers the need for the MRB-S District. The site must therefore be in compliance with the design requirements for said district, as well as those for the Large Scale Retail Developments.

In addition, in keeping with the design guidelines for MACs and in order to create a more urban feel to an otherwise suburban-model shopping center, staff recommends conditions comparable with what was adopted for the Wal Mart site outparcel at the corner of Peters Creek Parkway and West Clemmons Road. Specifically, that the property be developed with a two story structure with parking to the side or rear. Similarly, staff recommends the remaining outparcels along Peters Creek Parkway have parking located to the side or rear of the future buildings. This design will also help in promoting other developments in the MAC to be designed in a mixed-use, pedestrian friendly manner. The revised site plan, which includes said out parcels, does reflect the recommended building arrangement.

**Generalized Recommended Conditions**

**BRIEF DESCRIPTION OF CONDITION(S):**
- Southeast corner outparcel condition.

### 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-2757</td>
<td>RS-9 to MRB-S (Shopping Center)</td>
<td>Approved 5-2-05</td>
<td>Directly south</td>
<td>29.72</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2160</td>
<td>RS-9 to IP-S (Community Scale Church)</td>
<td>Approved 8-18-97</td>
<td>Directly east</td>
<td>9.49</td>
<td>Approval</td>
</tr>
</tbody>
</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>208,770 sf + 51,350 sf (outparcels) = 260,120</td>
<td>Various locations generally around the eastern, southern and western perimeters 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></td>
<td>626 spaces + 404 spaces for the 5 outparcels = 1,030 spaces</td>
<td>613 (includes one time reduction request as per MRB-S District) + 427 outparcel spaces = 1,040 spaces</td>
<td>Located to the front and side of building (No more than 80% allowed in front as per UDO requirements)</td>
</tr>
<tr>
<td>Building Height</td>
<td>Maximum</td>
<td>Proposed</td>
<td></td>
</tr>
<tr>
<td>-----------------</td>
<td>---------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>60’</td>
<td>31.8’</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>85%</td>
<td>78.4% for the Large Scale Retail building and between 63.23% and 72.21% for the outparcels</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Section 2-1.3 (L) MRB-S Major Retail &amp; Business District</td>
<td></td>
</tr>
<tr>
<td>• Section 3-12.1 Design Requirements for Large Scale Retail Developments</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Legacy policies:</td>
<td>Yes</td>
</tr>
<tr>
<td>(B) Environmental Ord.</td>
<td>Yes</td>
</tr>
<tr>
<td>(C) Subdivision Regulations</td>
<td>NA</td>
</tr>
</tbody>
</table>

| Analysis of Site Plan Compliance with UDO Requirements | The revised site plan complies with the requirements of the UDO including the design requirements for the MRB-S District and Large Scale Retail Developments. |

<table>
<thead>
<tr>
<th>Generalized Recommended Conditions</th>
<th>BRIEF DESCRIPTION OF CONDITION(S):</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Developer shall comply with MRB-S District requirements.</td>
<td></td>
</tr>
<tr>
<td>• Developer shall comply with the Design Requirements for Large Scale Retail Developments of the UDO.</td>
<td></td>
</tr>
<tr>
<td>• Obtain Demolition Permit</td>
<td></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>Request would provide a second large installment to the developing Metro Activity Center in the area.</td>
<td>Request will contribute to additional traffic on Peters Creek Parkway</td>
</tr>
</tbody>
</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

- **PRIOR TO THE ISSUANCE OF ANY PERMITIS**
  a. Developer shall obtain all necessary permits from the NC Division of the Environment and Natural Resources (DENR) and the USA Corps of Engineers.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  a. Developer shall obtain a demolition permit from the Inspections Division prior to the removal of the existing structures on the site.
  b. Developer shall obtain driveway permits from WSDOT and NCDOT; additional improvement may be required prior to issuance of the permits.
  c. 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.
  d. Developer shall obtain approval of all retaining walls from the Inspections Division.
• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. Any retaining wall shall be earth tone in color or shall match the color of the primary building as approved by Planning staff.
  b. All proposed buildings (exclusive of the building on the outparcel located at the corner of Peters Creek Parkway and West Clemmonsville Road Extension) shall be consistent with the building elevations as shown in Exhibits A, B, C, D, E and F as approved by Planning staff.
  c. A private access and cross parcel access easement agreement from West Clemmonsville Road and Peters Creek Parkway to the driveway connections to the northern and western property lines shall be recorded.
  d. Developer shall contact the Winston-Salem Transit Authority (WSTA) to inquire about possible extensions of Route 13 to the proposed development. If the route can be extended, the developer shall coordinate with WSTA for a covered bus stop with sidewalk access to the Lowe’s building. Any required transit stop or shelter recommended by WSTA in the shopping center, along Peters Creek Parkway, or along West Clemmonsville Road Extension shall be installed or completed by the developer prior to the issuance of occupancy permits.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. Developer shall install all the improvements recommended in the Traffic Impact Study (TIS) and by the requirements specified in the driveway permits to the specifications of the Public Works Department of the City of Winston-Salem and the North Carolina Department of Transportation.
  b. All required fire hydrants shall be installed in accordance with the City Fire Department.
  c. Site will be developed in accordance with the approved site plan.
  d. Developer shall construct the improvements along Peters Creek Parkway and West Clemmonsville Road per the approved TIS and per the recommendations of the City of Winston-Salem Department of Public Works. Said improvements shall include: construction of right turn lanes along Peters Creek Parkway and West Clemmonsville Road Extension; additional right-of-way dedication on West Clemmonsville Road; signalization at the sites main entrance on West Clemmonsville Road Extension across from the Wal Mart entrance; and the installation of a raised median in West Clemmonsville Road. The improvements to West Clemmonsville Road extension may be satisfied with payment in lieu.

• OTHER REQUIREMENTS
  a. Development shall be permitted two (2) freestanding, fifteen (15) foot high monument signs with a fifty-four (54) square foot sign area at the main entrance to the development along Peters Creek Parkway and West Clemmonsville Road Extension. Each outparcel within the site shall be permitted one (1) freestanding, six (6) foot high monument sign with a thirty-six (36) square foot sign area. Signs with electronic changeable (LED) copy areas shall be prohibited.
  b. Landscaping materials shall be consistent with that shown on sheet LS 01, Landscape Plan, of the approved site plan.
  c. On-site lighting shall be consistent with that shown on sheet PH 1 Photometric Plan, of the approved site plan.
d. Developer shall stabilize slopes within 15 days of achieving final grade.

e. The subject property and developer are subject to all of the requirements specified in Article B, Chapter III, Section 3-12, design requirements for Large Scale Retail Developments of the UDO.

f. Developer shall agree to restrict the future development of the outparcel lot located at the corner of Peters Creek Parkway and West Clemmonsville Road Extension (Outparcel D) to a multi-storied building with ground floor office and/or retail, and retail, office and/or residential units on the upper floor(s) with flexibility allowed for the front/side street setbacks, parking, etc., per the MRB-S District standards. Specifically:

(1) The outparcel building will include two functional stories;

(2) The design of the outparcel building will incorporate materials, colors, and architectural features that match or complement the Lowe’s building;

(3) The outparcel building will be sited so that it will be placed towards the southeast corner of the outparcel, with no parking or drive aisles between the building and the street;

(4) The front yard setback may be reduced as stipulated on the MRB-S zoning ordinance; and,

(5) The required parking on the outparcel may be reduced per MRB-S zoning ordinance.

g. Remaining outparcels along Peters Creek Parkway shall have parking spaces located no closer to Peters Creek Parkway than the proposed buildings.

h. Developer shall be required to extend the culvert under the site’s main driveway the maximum length allowed by their Army Corp of Engineer Nationwide permit. The City will install the remaining length necessary to join the Developer’s culvert with the culvert under West Clemmonsville Road. Developer shall grant access to the City to perform the work as described above. The City and Developer shall negotiate the final grading over the culvert extension. Upon completion of West Clemmonsville Road and culvert connection, the City of Winston-Salem’s maintenance of the culvert shall end at the right-of-way of West Clemmonsville Road Extension. The remainder of the culvert will be maintained by the Developer.

Lowe’s Outparcels Volunteered Conditions:

1. All outparcels shall receive final approval through a staff level “Staff Change” review process to ensure compliance with all MRB-S District Requirements of Section B-2-1.3(L) of the UDO, all Design Requirements for Large Scale Retail Developments of Section B-3-12.1 of the UDO, and all conditions of approval from the overall project for the outparcel end user/purchaser. To provide clear direction and formalize this review process, all outparcel developments associated with this project shall comply with the following:

a. Basic layout, square footage, height, and building placement for each outparcel lot shall have only minimal flexibility for adjustment. More substantial adjustments, as determined by Planning staff, shall be reviewed through the Site Plan Amendment process;
b. All buildings shall incorporate similar design elements, materials, and colors as the approved building elevations for the principal building on the site. Further, all applicable architectural design requirements from the Design Requirements for Large Scale Retail Development of Section B-3-12.1 of the UDO shall be reflected on the required building elevations;

c. Outparcel development plans shall first be submitted to the Planning Department for a Development Review Committee meeting (commonly referred to as the Friday morning meeting) to receive preliminary feedback. Plans submitted for this review shall include enough information to determine compliance with the MRB-S District Requirements of Section B-2-1.3(L) and the Design Requirements for Large Scale Retail Developments of Section B-3-12.1 of the UDO, including architectural elevations, colored renderings, details sheets, etc.;

d. Following the preliminary review, a formal “Staff Change” application, and all specified supporting documentation, shall be submitted to the Planning Department. These plans and supporting documentation shall demonstrate compliance with the MRB-S District Requirements of Section B-2-1.3(L) of the UDO, the Design Requirements for Large Scale Retail Developments of Section B-3-12.1 of the UDO, all applicable conditions of approval for the overall project, and all agreed upon recommendations from the Development Review Committee meeting; and

e. Following approval of the plans for individual outparcels through the “Staff Change” review process, the overall master plan for project shall be updated to reflect the newly approved outparcel layout.

**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**

Carol Eickmeyer noted that she is disappointed that there is no public art involved in this project.

**MOTION:** Paul Mullican moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

**SECOND:** Jerry Clark
VOTE:
FOR:  Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Lynne Mitchell, Paul Mullican, Brenda Smith
AGAINST:  None
EXCUSED:  None

A. Paul Norby, FAICP
Director of Planning