

DOCKET #: W2862

PROPOSED ZONING:
GO-S (Banking and Financial;
and Professional Offices)

EXISTING ZONING:
RS9

PETITIONER:
Windsor Development Group
for property owned by
Hope Presbyterian Church,
Inc.

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 2.09

MAP(S): 606862, 612862



May 24, 2006

Windsor Development Group, LLC
c/o Nell Vestal, Conrad Vestal, and R. Stuart Stogner
P. O. Box 9205
Greensboro, NC 27429

RE: ZONING MAP AMENDMENT W-2862

Dear Ms. Vestal, Mr. Vestal, and Mr. Stogner:

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
David Helms, 3340 York Road, Winston-Salem, NC 27106
Steve Causey, Allied Design, 4720 Kester Mill Road, Winston-Salem, NC 27103
Joy Wilson, 2120 Peace Haven Road, Winston-Salem, NC 27106
Stuart Stagner, 717 Archer Road, Winston-Salem, NC 27106
Kathy Helms, 3340 York Road, Winston-Salem, NC 27106
Paul Farentz, 3224 Polo Road, Winston-Salem, NC 27106
George Knostman, 1210 Foxhall Drive, Winston-Salem, NC 27106
Susan McCarthy, 151 Green Valley Road, Winston-Salem, NC 27106
Kay Bergey, 144 Green Valley Road, Winston-Salem, NC 27106

ACTION REQUEST FORM

DATE: May 24, 2006
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 Windsor Development Group, LLC for property owned by Hope Presbyterian Church, Inc., Conrad L. Vestal, and Elizabeth Vestal

SUMMARY OF INFORMATION:

Zoning Map Amendment of Windsor Development Group, LLC for property owned by Hope Presbyterian Church, Inc., Conrad L. Vestal, and Elizabeth Vestal from RS-9 to GO-S (Banking and Financial Services; and Professional Office): property is located on the west side of Peace Haven Road, across from Whitaker Road (Zoning Docket W-2862).

PLANNING BOARD ACTION:

MOTION ON PETITION: DENIAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Windsor Development Group, LLC
for property owned by Hope Presbyterian Church, Inc.,
Conrad L. Vestal, and Elizabeth Vestal, Docket W-2862

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 GO-S (Banking and Financial Services; and Professional Office) the zoning classification of the following described property:

BEGINNING at an existing pipe located at the southeast corner of Tax Lot 44B, Block 3410 and the right-of-way of Peace Haven Road; thence adjoining Tax Lot 1 Block 6278 and owned now or formerly by Aegis Family Health Centers the next two calls north 87° 37' 33" west 47.57 feet to a point; thence south 88° 40' 13" west 400.01 feet to a point; thence along a proposed new lines and being part of Tax Lot 212 Block 3410 the next five calls north 04° 19' 19" west 89.96 feet to a point; thence north 04° 19' 19" west 98.06 feet to a point; thence north 88° 40' 13" east 387.53 feet to a point; thence south 61° 14' 19" east 89.96 feet to a point; thence south 88° 23' 30" east 87.49 feet to a point, thence along the right-of-way of Peace Haven Road south 28° 49' 50" west 37.33 feet to the point; thence with a chord bearing south 33° 45' 45" west 133.24 feet with a radius of 770.0 feet to the point and place of beginning.

Said property being Tax Block 3410, Tax Lots 43B, 44B, and part of 212

Section 2. This Ordinance is adopted after approval of the site plan entitled Windsor Development Group and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, 20__ to Windsor Development Group, LLC for property owned by Hope Presbyterian Church, Inc., Conrad L. Vestal, and Elizabeth Vestal.

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 Windsor Development Group. 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 Windsor Development Group, LLC for property owned by Hope Presbyterian Church, Inc., Conrad L. Vestal, and Elizabeth Vestal, (Zoning Docket W-2862). 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 GO-S (Banking and Financial Services; and Professional Office), 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-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall obtain a driveway permit from WSDOT; additional improvements may be required prior to the issuance of the driveway permit.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Developer shall complete all requirements of the WSDOT driveway permit.
 - b. Developer shall provide a bufferyard easement.
- **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. Existing trees shown as to remain on the site plan shall be replaced with large variety trees if disease or storm damage etc. necessitates their removal in the future.

**CITY-COUNTY PLANNING BOARD STAFF
STAFF REPORT FOR: Docket # W-2862
May 11, 2006**

PETITION INFORMATION			
Docket #	W-2862		
Staff	Gary Roberts		
Petitioner(s)	Windsor Development Group		
Owner(s)	Hope Presbyterian Church, Inc., Conrad L. Vestal, and Elizabeth Vestal		
Subject Property	Tax Lots 43B, 44B and a portion of 212 / Tax Block 3410		
Type of Request	Special Use Rezoning from RS-9 to GO-S		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 Residential, Single Family District; 9,000 sf minimum lot size to GO-S General Office District. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • (Banking and Financial Services; and Professional Office) 		
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 Growth Management Areas 1 and 2, activity centers, and Growth Management Area 3 with access to thoroughfares.		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes		
GENERAL SITE INFORMATION			
Location	West side of Peace Haven Road, across from Whitaker Road		
Jurisdiction	City of Winston-Salem		
Ward(s)	West		
Site Acreage	Approximately ± 2.09		
Current Land Use	Site is undeveloped		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	Undeveloped
	East	LO-S	Piedmont Federal Savings and Loan
	South	HB-S	Aegis Health Center
	West	West	Single family homes
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?		
	While the proposed three story bank/office building with drive-through is compatible with the bank and health care facility to the east and south, it is not compatible with the RS-9 zoning to the north and west.		

Physical Characteristics	The site has recently been graded and is relatively flat.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Storm water/ Drainage	The Inspections Division recommends the petitioner prepare a storm water management study.			
Watershed and Overlay Districts	The subject property is not within a water supply watershed.			
Analysis of General Site Information	The site is generally suitable for the proposed improvements.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Grading permit • Storm water management study 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Peace Haven Road	Minor Thoroughfare	169'	17,000 (South of Robinhood Road)	11,100
Proposed Access Point(s)	Peace Haven Road			
Planned Road Improvements	None			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RS-9</u> 2.09 acre (RS-9) x 43,560 / 9,000 = 10 units x 9.57 (SFR Trip Rate) = 96 Trips per Day</p> <p><u>Proposed Zoning: GO-S</u> 7,128sf / 1,000 x 246.49 (Drive-In Bank Trip Rate) = 1,757 Trips per Day + 19,564 sf / 1,000 x 11.01 (General Office Building Trip Rate) = 215 Trips per Day = 1,972 Total Trips per Day Note: The submitted TIS estimates the total new trips at 1,366-1,620. However, this is based upon a three lane drive-through bank whereas the site plan shows a four lane drive-through. See also comments under the Traffic Impact Study section.</p>			
Sidewalks	Sidewalk is currently located along the frontage of the site. Staff recommends a lateral connection from said sidewalk to the building entrance.			
Transit	Route 21 along Peace Haven Road			
Connectivity	Staff investigated the possibility of a cross access connection to the Aegis Health Center site to the south. However, the development pattern of said adjacent property makes such a connection impractical.			

<p>Traffic Impact Study (TIS)</p>	<p>A TIS was required and has been submitted. The following comments are from the WSDOT staff in response to the TIS.</p> <p>The ITE Trip Generation Manual states that for Drive-In Banks, "The independent variable, drive-in lanes, refers to all lanes at a banking facility used for financial transactions, including ATM-only lanes." Therefore, the traffic generation for the bank component should be based on 4 lanes or 1645 trips. Other values for this component could be generated based on the variable used (ex. number of employees or size of the facility). For the office component, the ITE formula was used instead of the average rate. The trip generation could vary from 1860 to 1972 depending on the variables used. The increase in volumes would slightly increase the peak hour volumes considered in the analysis, but the impact would not be greatly different than what the study shows.</p> <p>As indicated in the TIS, the intersection of Robinhood and Peace Haven operates at Level of Service (LOS) E and would further degrade with the addition of the site traffic to LOS F in the peak hour. While the intersection as a whole may operate at LOS E, it should be noted that certain movements experience excessive delay. <u>There is currently no right-of-way available to make improvements to mitigate the impacts of additional traffic.</u></p> <p>In regards to safety at the proposed driveway location, the developer would need to clear the vegetation and possibly grade the bank in to allow for adequate sight distance to the south. This may pose a conflict with the required streetyard planting, but would be dependent on the variety of planting material chosen.</p>
<p>Analysis of Site Access and Transportation Information</p>	<p>The subject request should generate between 1,860 and 1,972 additional trips per day. This represents a 1,800% -1,900% increase in additional traffic when compared to the 96 trips per day allowed under the current RS-9 zoning. Even under an RM-8 multifamily development scenario of 16 units, the traffic count would only be 105 additional trips per day. According to WSDOT staff, "The addition of this traffic to the intersection of Robinhood Road and Peace Haven Road only makes a bad situation worse."</p>
<p>Generalized Recommended Conditions</p>	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> • Driveway permit from WSDOT • Provide lateral sidewalk connection

CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	GMA-3 (Suburban Neighborhoods)
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • <i>Legacy</i> recommends compact, walkable and mixed use commercial activity centers. The Robinhood Road commercial area already has ample retail development and some office development but lacks significant higher density residential development that would create a true mixed use environment. <i>Legacy</i> also recommends protection of residential areas from inappropriate commercial and industrial encroachment.
Relevant Area Plan(s)	<i>Robinhood Road Area Plan</i> (1986)
Area Plan Recommendations	<p>The <i>Robinhood Road Area Plan</i> identifies the subject property as being part of the Whitaker Road Mixed Use, Planned Unit Development. The Mixed Use area is recommended for residential uses with various densities, office, and commercial development. Further, according to the documentation in the <i>Robinhood Road Area Plan</i> file, the Board of Aldermen requested a study by planning staff to define further how “Mixed-Use, Planned Unit Development” (term used in the plan for the subject area) should be implemented in the area. In response to this request, staff developed a general land use map indicating the intended mixture and location of uses. Although not formally adopted by the Planning Board or the Board of Aldermen, this was intended by the Aldermen to be a guide in advising future applicants concerning future land use decisions. <u>On this map, the subject property is shown for low-density office or multi-family (8du/ac) uses.</u> In March, 1994, the area just south of the subject property (Whitaker Square Shopping Center) was approved as a retail area (instead of the recommended mix of commercial/office/residential for that site), with a relocated Whitaker Road defining its northern edge.</p>
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(S)(4) - Is the requested action in conformance with <i>Legacy</i>?
	The request is not in conformance with <i>Legacy</i> in that it would allow the high intensity office encroachment into a single family residential area; burden the already busy intersection of Robinhood Road and Peace Haven Road; and further reduce the opportunity for creating a mixture of uses in the adjacent commercial area.
Analysis of Conformity to Plans and Planning Issues	The subject property is currently undeveloped and is located beyond the northern edge of the commercial area serving Robinhood and Peace Haven Roads. This area, which includes the Whitaker Square Shopping Center and the Aegis Health Center, serves a number of surrounding neighborhoods and would be considered a Community Activity Center as per <i>Legacy</i> . At maturity, Community Activity Centers are intended to develop into compact mixed-use activity centers as an alternative to linear single-use commercial areas along major roadway corridors. Currently

this center is exclusively commercial and therefore lacks any true mixture of uses and the associated pedestrian orientation.

The Whitaker Square Shopping Center project, developed in 1994 (W-1887), was a controversial zoning case. That property was located on both sides of Peace Haven Road north of Robinhood Road, and on the west and south sides of Whitaker Road and the realigned new section of Whitaker Road. The Aegis office use, located directly south of the subject property, was set up to end commercial to the north and was a strong consideration for staff approval of this case.

Consistent with the recommendations of *Legacy*, The *Robinhood Road Area Plan* identifies the subject property as being part of the Whitaker Road Mixed Use, Planned Unit Development. At the request the councilperson for the West Ward at that time, and in order to further clarify the recommendations of the plan, staff developed a general land use map indicating the intended mixture and location of uses. Although not formally adopted by the Planning Board or the City Council, this was intended by the Council to be a guide in advising future applicants concerning future land use decisions. On this map, the subject property is shown for low-density office or multi-family (8du/ac) uses.

Some of the logic for this determination is based upon the topography of the subject property. The site clearly relates more toward the residentially zoned properties located to the north and serves as a transitional site between this area and the commercial development to the south and southeast

Staff is very supportive of a higher density residential use for the site which would in turn result in a more sustainable and diverse development pattern for the area. However, approval of the proposed GO-S request with a three-story, 26,692 sf building does not provide the desired transitional use, would add considerable traffic to a road which is already operating nearby at greater than 50% over its capacity at LOS D, would further burden the already over-congested intersection of Robinhood Road and Peace Haven Road, and open the door for other commercial and office rezonings along this portion of Peace Haven Road.

Generalized Recommended Conditions

BRIEF DESCRIPTION OF CONDITION(S):

- Signage condition
- Lighting condition

RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2732	RS-9 to LO-S	Approved 12-6-04	Directly east	2.78	Denial	Approval
W-2532	RS-9 to HB-S and LO-S	Withdrawn 4-14-02	Included current site	8.03	Denial	Denial

W-2359	HB and RS-9 to HB-S (Shopping Center)	Approved 1-18-00	Southeast	9.21	Approval	Approval
W-1887	R-4 to B-3-S (HB-S) (Multiple Business Uses) TWO PHASE	Approved 4-4-94	Directly south	29.97	Approval	Approval

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

Building Square Footage	Square Footage		Placement on Site	
	26,692 sf		Center of site	
Parking	Required	Proposed		Layout
	101	101		In front and behind building
Building Height	Maximum		Proposed	
	60'		Three story	
Impervious Coverage	Maximum		Proposed	
	80%		63.99 %	
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Section 2-1.3 (D) General Office District 			
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:		No, see comments above	
	(B) Environmental Ord.		NA	
	(C) Subdivision Regulations		NA	
Analysis of Site Plan Compliance with UDO Requirements	It is anticipated the revised site plan will be in compliance with the requirements of the UDO.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> Provide bufferyard easement 			

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
Allows an expanded commercial development area.	Request would generate between 1,800% and 1,900% of additional traffic over the current RS-9 zoning and further burden the congested intersection of Peace Haven Road and Robinhood Road.
	Request is inconsistent with <i>Legacy</i> and the <i>Robinhood Road Area Plan</i> .
	The request would allow for intensive office use of the site which could be incompatible with the adjacent residential properties to the south and west.

Approval of the request would encourage office rezonings further northeast along Peace Haven Road.

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- a. Developer shall obtain a driveway permit from WSDOT; additional improvements may be required prior to the issuance of the driveway permit.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. Developer shall complete all requirements of the WSDOT driveway permit.
- b. Developer shall provide a bufferyard easement.

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.
- c. Existing trees shown as to remain on the site plan shall be replaced with large variety trees if disease or storm damage etc. necessitates their removal in the future.

STAFF RECOMMENDATION: DENIAL

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

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

David Helms, 3340 York Road, Winston-Salem, NC 27106

- I live about 2/10ths of a mile from this site.
- This is the neighborhood where I grew up. My family still lives in this immediate area. It's a neighborhood I'm very sensitive to personally.
- If this gets approved, my partners and my business will be located on the third floor of this building.
- We're not sure how the trip calculation was done. The bank building itself may be 7,000 square feet, but the branch itself would only be about 2500 square feet. Our reading of the TIS is that this building would have no appreciable impact on the area and that they recommended no additional improvements to be made.
- Obviously anytime you build something new, there's something going on, but it wasn't felt to be nearly the impact that we're hearing right now.

- As far as dealing with *Legacy*, everything staff said is correct, but we read the words in a slightly different way. We are proposing a little more office space, not retail which *Legacy* describes as ample for this area.
- I was part of the Legacy and Vision 2005 steering committees and what I learned during those processes was that it's best to develop where infrastructure is already provided. Here's a vacant piece of land with infrastructure provided.
- We're not tearing down any houses.
- Transition is important. Most transition places between commercial and residential have multifamily or business zoning. More often that is business zoning. That certainly is consistent with what is in the area.
- The proposed building is three stories in height. One important consideration in development is impervious surface. By having a three-story building, we will only be at 68% impervious surface instead of the 80 that we could be. On this particular site, a three-story building will not stand out. It is not the unusual creature that it might sound like.
- The only place we touch any residential property is on the western edge. As you can see, we pulled the building as far forward as possible. The annoyance of any drive-through is at the front of the building. And we pulled the parking as far away from the neighbor's property line as possible. That's roughly 70 feet to the beginning of the property. There's approximately 200 feet between the neighbor's property and the proposed building.

Steve Causey, Allied Design, 4720 Kester Mill Road, Winston-Salem, NC 27103

- We prepared the site plan and I am basically here to answer any questions you might have.
- The storm water piping we've shown is our best estimate at this point about how to accommodate some underground storage on site to attenuate the post-development flow to the pre-development flow.

In response to a question from the Board, an unidentified person in the audience stated that the building will be approximately 44-45 feet above ground.

Joy Wilson, 2120 Peace Haven Road, Winston-Salem, NC 27106

- I sent in a petition to you in favor of this commercial.
- My property adjoins this site.
- This site is not fit for residential.
- There are many houses available in this immediate area and people won't buy here because of the traffic.
- These people who are against this should have been with us when we didn't want the road or the shopping center.

Stuart Stagner, 717 Archer Road, Winston-Salem, NC 27106

- I'm the pastor of Hope Church.
- This is the area we have focused on and we intend to serve.
- We will not continue to sell a slice of property off. This however, would strengthen our financial position and put us much closer to where we could actually build a church.
- We want to be that transition from commercial into residential.
- We've decided that we don't want to try to be as big as we possibly can be and that five acres is enough land to meet our ministry goals.

- We were offered a million dollars as a introductory bid to sell our property. We turned them down because this is where we want to be. This transaction will help us to accomplish this goal.

Kathy Helms, 3340 York Road, Winston-Salem, NC 27106

- I live in this area and am president of the Robinhood Trails Neighborhood Association.
- *Legacy* encourages infill and also encourages retail and commercial development butting up against residential property.
- It's not "if" it's going to happen, but when it's going to happen.
- Good design is what's going to make commercial design compatible with residential development.

AGAINST:

Paul Farentz, 3224 Polo Road, Winston-Salem, NC 27106

- I reside directly north of the property in question.
- I appreciate Mr. & Mrs. Helms comments about transitioning, but we already have that.
- I'm representing a lot of our neighbors and we've collected about 84 signatures in opposition to this building.
- This area was suitable for residential until about four years when the trees were stripped from this site in a similar battle over this site.
- We welcome the church. We look forward to having it here. But it just doesn't make sense to have another bank, number 10 within walking distance.
- I question whether a church will be built here with a drive-through area facing the church itself.
- Our concerns are increased traffic, safety considerations, and an already established transitional use through Aegis.
- This additional congestion will impede pedestrian and vehicular travel, especially during peak hours.
- This street is a funnel for Mount Tabor High School, Speas Elementary, and residential neighborhoods to the north, west, and east of Robinhood.
- Retail development should not be allowed to spread down Robinhood Road or into existing residential areas.
- This would encourage commercial creep.
- Development only detracts from our community.
- We support responsible single family residential development like that of Polo Trace.

George Knostman, 1210 Foxhall Drive, Winston-Salem, NC 27106

- I don't believe this rezoning request serves the greater good of the community.
- We already have nine banks in this immediate area. We don't need a tenth.
- A three-story building is out of character for this area.
- Even with these additional funds, there's no guarantee that this church is going to be built.
- If the church isn't built, this just makes it more likely that the land will be later rezoned for additional business.
- The biggest problem is the traffic, particular when Mount Tabor High School lets out and young drivers are coming down the hill and around the curve. There is significant danger that someone will be hit when they are attempting to leave the bank.
- This is not the best use of the site.

Susan McCarthy, 151 Green Valley Road, Winston-Salem, NC 27106

- In 2001 I moved back to Winston-Salem and into my dream house, my home built by my great grandparents in 1928.
- On Green Valley Road there are also several other homes with significant history.
- A number of other homes in this neighborhood are over 50 years old.
- I'd be one of the property owners most affected.
- This would definitely affect my property value and I would find it personally distressing and disturbing to have a three-story office building just behind my home.
- When the property on Peace Haven Road was sold, the area residents were assured that Hope Presbyterian Church was going to build there. We had no objections. However, now the church wants to change the zoning and sell off just a little part of their land for commercial development.
- We fear this will set the precedent for more commercial zoning.
- I would be very much affected by this.
- The purpose of *Legacy* was to set a line for commercial development. The line was established for a reason. If this rezoning is approved, what is the point of even trying to maintain strictly residential areas.

WORK SESSION

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

1. Church usage is not usually simultaneous with peak traffic hours, so impact of the church on traffic in the area should be minimal.
2. Traffic and future road improvements were discussed.
3. Walking in this area is difficult because of traffic.
4. The three-story building will be going up a hill and the tops of the buildings won't necessarily match.
5. The maximum building height in a RS-9 District is 40 feet. GO District allows 60 feet closest to the property line and increased height as you recede from the property line.
6. Cross-access was not requested to the north or south because of the retaining walls.

MOTION: Wesley Curtis moved denial of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Clarence Lambe

VOTE:

FOR: Jerry Clark, Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

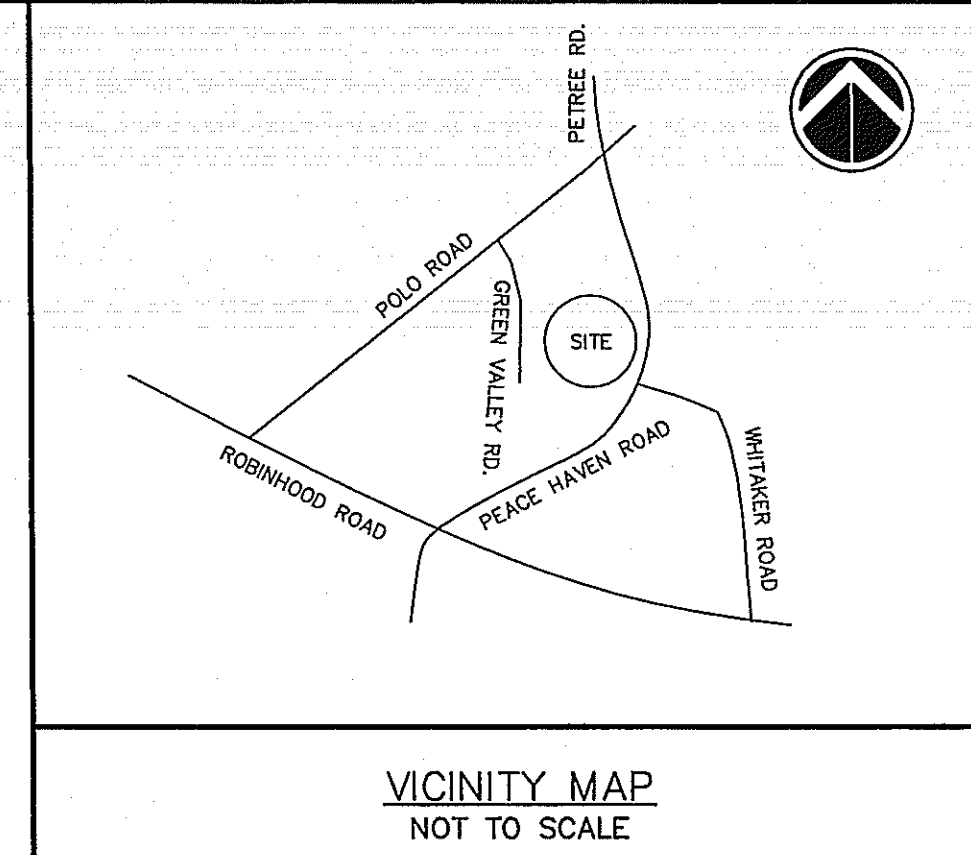
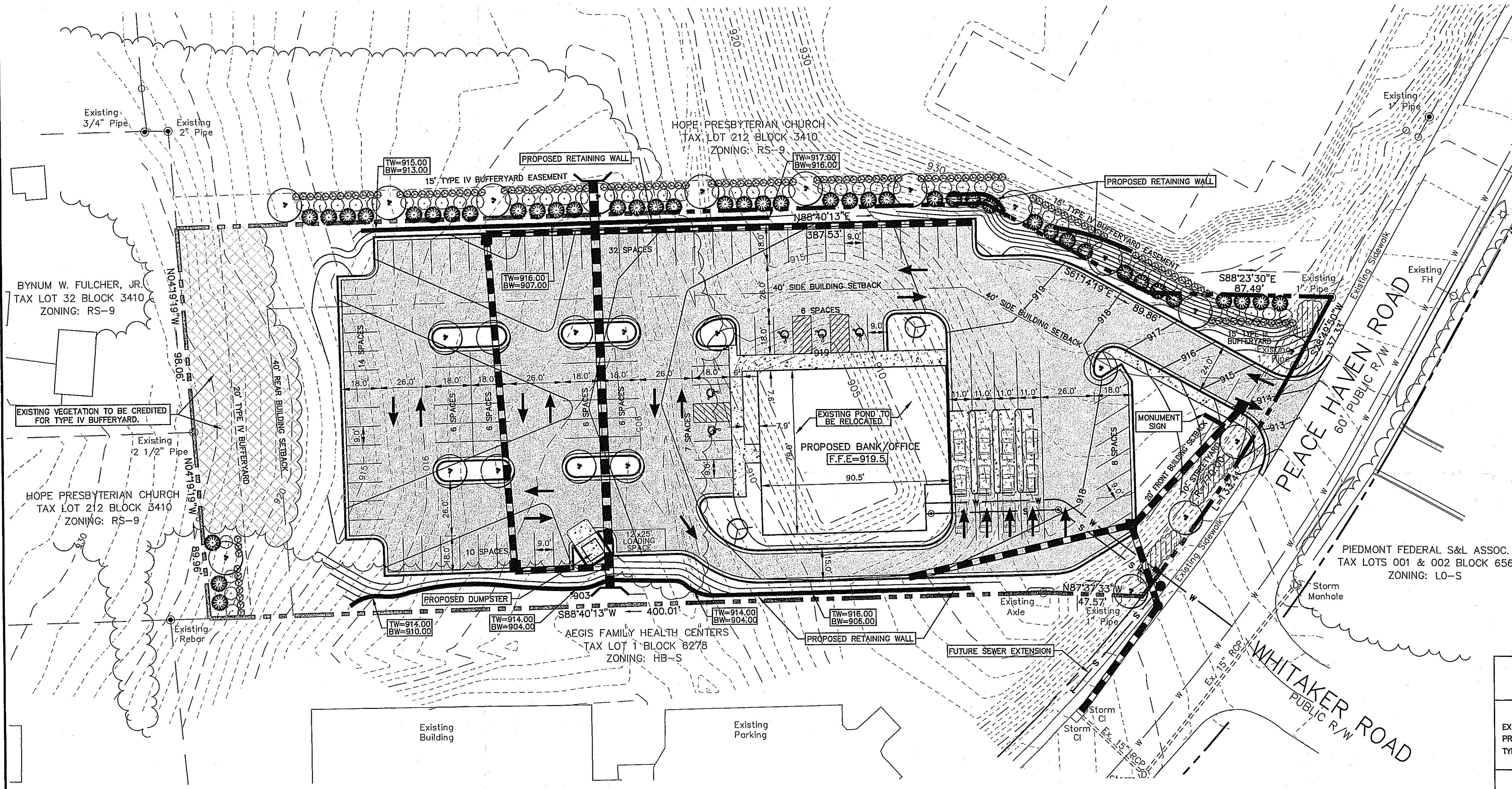
AGAINST: None

EXCUSED: None

Written Comments Submitted by Planning Board Members:

Jerry Clark: This change in zoning is an inappropriate use of this transitional property.

A. Paul Norby, FAICP
Director of Planning



Allied Design, Inc.
 CIVIL ENGINEERING & LAND SURVEYING
 4720 KESTER MILL ROAD
 WINSTON-SALEM, NORTH CAROLINA 27103
 Phone: (336) 765-2377
 Fax: (336) 760-8886
 http://www.allied-engineers.com

LEGEND

	EXISTING VEGETATION TO REMAIN
	PROPOSED ASPHALT PAVEMENT
	PROPOSED CONCRETE SIDEWALK
	PROPOSED WATERLINE
	PROPOSED SANITARY SEWER LINE
	PROPOSED STORM DRAINAGE

SITE DATA
 PROPERTY OWNERS: PORTION OF TAX BLOCK 3410 LOT 212 AND TAX BLOCK 3410 LOT 043B
 DEED BOOK 2390 PAGE 4111
 PARCEL ID: 6816-25-5044
 HOPE PRESBYTERIAN CHURCH
 7600 NORTH POINT COURT
 WINSTON-SALEM, N.C. 27106

TAX BLOCK 3410 LOT 044B
 DEED BOOK 2566 PAGE 3284
 PARCEL ID: 6816-24-5914
 CONRAD & ELIZABETH VESTAL
 108 WEDGEFIELD AVENUE
 WINSTON-SALEM, N.C. 27106

PETITIONER: WINDSOR DEVELOPMENT GROUP, LLC
 NORTHWESTERN PLAZA
 P.O. BOX 9205
 GREENSBORO, N.C. 27429
 PH: (336) 282-3550 FAX: (336) 282-9991
 CONTACT: BUDDY SEYMOUR

ENGINEER/SURVEYOR: ALLIED DESIGN, INC.
 4720 KESTER MILL ROAD
 WINSTON-SALEM, N.C. 27103
 PH: (336) 765-2377 FAX: (336) 760-8886
 STEVE CAUSEY, P.E.

PARKING CALCULATIONS

BANKING AND FINANCIAL SERVICES: 1 SPACE/200 SF GFA
 7,128 SF GFA/200 = 36 SPACES REQUIRED

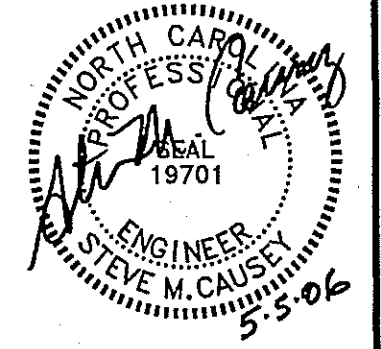
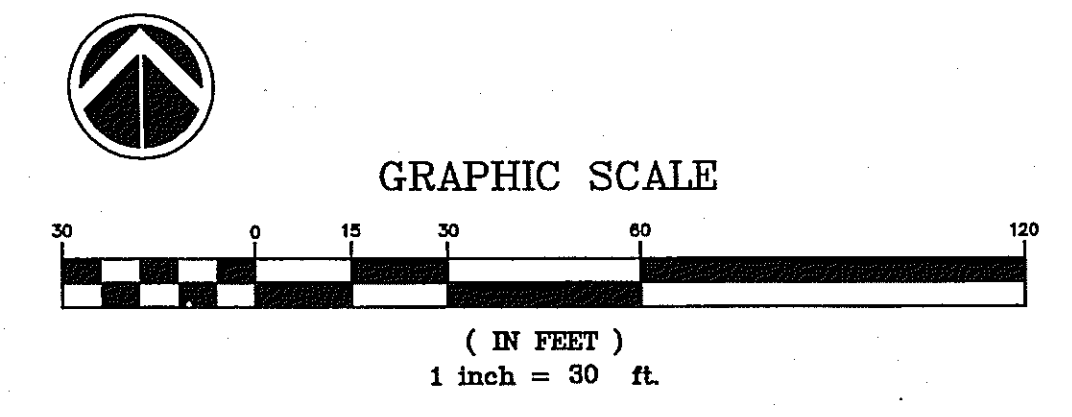
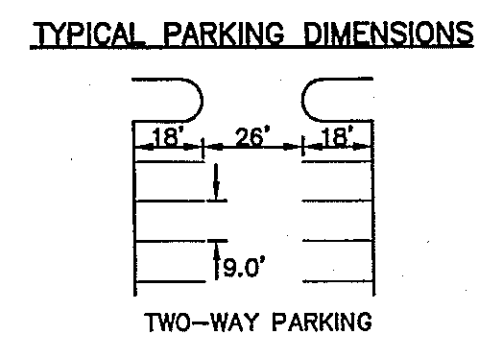
PROFESSIONAL OFFICES: 1 SPACE/300 SF GFA
 19,564 SF GFA/300 = 65 SPACES REQUIRED

TOTAL PARKING REQUIRED: 101 SPACES
 PARKING PROPOSED: 101 SPACES

PROPOSED USES
 BANKING AND FINANCIAL SERVICES; OFFICES, PROFESSIONAL

ZONING	OFF-STREET PARKING
EXISTING ZONING: RS-9	PROPOSED USE(S): SEE ABOVE
PROPOSED ZONING: GO-S	PARKING CALCULATION: SEE ABOVE
TYPE OF REVIEW REQUESTED: REZONING & PRELIMINARY SITE PLAN APPROVAL	REQUIRED PARKING: SEE ABOVE SPACES
	PROVIDED PARKING: SEE ABOVE SPACES
SITE SIZE AND COVERAGES	BUFFERYARDS
TOTAL ACREAGE: 2.09 ± ACRE(S)	ADJOINING ZONING: RS9, HB-S
SITE COVERAGES:	TYPE REQUIRED: TYPE IV (AGAINST RESIDENTIAL)
BUILDING TO LAND: 7.83 %	WIDTH PROVIDED: 15' & 20' (AGAINST RESIDENTIAL)
PAVEMENT TO LAND: 57.16 %	FENCE OPTION: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
TOTAL IMPERVIOUS: 64.99 %	
OPEN SPACE: 35.01 %	BUILDING SETBACKS
TOTAL: 100 %	FRONT: 20'
BUILDING SQUARE FOOTAGE: 26,892± SQ FT	REAR: 40' (AGAINST RESIDENTIAL)
BUILDING HEIGHT: 60' (MAX) / 3 STORIES	SIDE: 0'/(40' AGAINST RS-9)
	STREET: 20'
INFRASTRUCTURE	DENSITY CALCULATIONS
WATER: YES <input type="checkbox"/> PUBLIC: X <input type="checkbox"/> PRIVATE: <input type="checkbox"/>	NUMBER OF UNITS OR LOTS: X UNITS/LOTS
SEWER: YES <input type="checkbox"/> PUBLIC: X <input type="checkbox"/> PRIVATE: <input type="checkbox"/>	DENSITY: X UNITS/ACRE OR LOTS/ACRE
STREETS: YES <input type="checkbox"/> PUBLIC: X <input type="checkbox"/> PRIVATE: <input type="checkbox"/>	

- GENERAL NOTES**
- EXISTING SITE BOUNDARY, TOPOGRAPHIC, AND PLANNIMETRIC INFORMATION TAKEN FROM A SURVEY BY KENNETH L FOSTER & ASSOCIATES, PA DATED JUNE 21, 2001.
 - ALL DEVELOPMENT SHALL CONFORM WITH THE FORSYTH COUNTY "UNIFIED DEVELOPMENT ORDINANCE".
 - ALL DIMENSIONS ARE TO EDGE OF PAVEMENT, BACK OF CURB AND FACE OF BUILDING, UNLESS OTHERWISE NOTED. VERIFY ALL BUILDING DIMENSIONS WITH ARCHITECT PRIOR TO START OF CONSTRUCTION.
 - PUBLIC WATER AND SEWER SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY-COUNTY UTILITIES COMMISSION.
 - THE PURPOSE OF THIS SUBMITTAL IS TO REZONE THE PARCELS OF PROPERTY IDENTIFIED AS TAX BLOCK 3410 LOTS 043B AND 044B AND A PORTION OF TAX BLOCK 3410 LOT 212 FROM RS-9 TO GO-S FOR BANKING AND FINANCIAL SERVICE AND PROFESSIONAL OFFICE USES.
 - JURISDICTION: CITY OF WINSTON-SALEM.
 - CONTRACTOR TO REPAIR ANY DAMAGE THAT OCCURS TO PEACE HAVEN ROAD DURING CONSTRUCTION.
 - DEVELOPER HAS AGREED THAT A 12'x25' LOADING SPACE WILL BE ADEQUATE.



PRELIMINARY PLANS
 NOT RELEASED FOR CONSTRUCTION

WINDSOR COMMERCIAL PLAZA
 WINDSOR DEVELOPMENT GROUP, LLC
 WINSTON-SALEM
 NORTH CAROLINA

PROJECT NO.: 06-006
 DRAWN BY: JMN
 CHECKED BY: SMC
 DATE: 04/04/06

NO.	DATE	DESCRIPTION
A	04/04/06	ISSUED FOR PRE-SUBMITTAL REVIEW
B	04/10/06	ISSUED FOR PLANNING BOARD REVIEW
C	05/05/06	REVISED PER PLANNING STAFF COMMENTS

REZONING AND
 PRELIMINARY
 SITE LAYOUT

SHEET
C1
 OF 1

W-2862 "Revised"
 ZONING File Copy