

May 24, 2006

Chris Papakonstantinou 320 Summit Square Court Winston-Salem, NC 27103

RE: FINAL DEVELOPMENT PLAN W-1852

Dear Mr. Papakonstantinou:

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 Members 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
 Tori Small, Westcott Engineering & Consulting, PC, 4015 Meeting Way, Suite 105, High Point, NC 27265

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 Final Development Plan of Chris Papakonstantinou

SUMMARY OF INFORMATION:

Final Development Plan of Chris Papakonstantinou in 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 (without drive-through service); Restaurant (with 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; and Retail Store, Specialty or Miscellaneous - TWO PHASE) Zoning District: property is located on the southeast corner of Hanes Mill Road and Hanes Mill Court (Zoning Docket W-1852).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL **FOR**: UNANIMOUS

AGAINST: NONE

SITE PLAN ACTION: CONFORMS

CITY ORDINANCE - SPECIAL USE

Final Development Plan of <u>Chris Papakonstantinou</u>, Docket <u>W-1852</u>

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 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 (without drive-through service); Restaurant (with 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; and Retail Store, Specialty or Miscellaneous - TWO PHASE) to Final Development Plan for Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); and General Merchandise Store the zoning classification of the following described property:

Tax Block 6508, Tax Lot 3

Section 2. This Ordinance is adopted after approval of the site plan entitled <u>Hanes Mill Pointe</u>, Lot 3 and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of ______, 20 ___ to <u>Chris Papakonstantinou</u>.

<u>Section 3</u>. 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 <u>Hanes Mill Pointe</u>, <u>Lot 3</u>. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

<u>Section 4</u>. 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 Final Development Plan of Chris <u>Papakonstantinou</u>, (Zoning Docket W-1852). The site shall be developed in accordance with the plan approved by the Council and bearing the inscription: "Attachment A, Special Use District Permit for a Final Development Plan in 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 (without drive-through service); Restaurant (with 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; and Retail Store, Specialty or Miscellaneous - TWO PHASE) Zoning District, approved by the City Council of the City of Winston-Salem the day of " and signed, provided the property is developed in accordance with requirements of the <u>HB-S</u> 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 have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS

- a. One (1) freestanding monument type ground sign shall be permitted with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.
- b. Developer shall install curb and gutter and a minimum five (5) foot wide sidewalk to City of Winston-Salem specifications along the entire length of the property along Hanes Mill Road. Developer shall also install sidewalks along Summit Square Court and Hanes Mill Court.
- c. Any storm water management devices shall be installed.
- d. All required fire hydrants shall be installed in accordance with the City Fire Department and the Utilities Department.
- e. 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.
- f. As a condition of the first phase of zoning for the entire development, this outparcel shall share a joint driveway easement with the outparcel to the south and provide cross access via a driveway stub connection to the outparcel located to the west of the property.

OTHER REQUIREMENTS

a. This Final Development Plan must be approved by the City Council prior to the issuance of any permits.

CITY-COUNTY PLANNING BOARD STAFF STAFF REPORT FOR: Docket # W-1852 May 11, 2006

PETITION INFORMATION					
Docket #	W-1852				
Staff	Gary Roberts				
Petitioner(s)	Chris Papakonstantinou				
Owner(s)	Same				
Subject Property	Tax Lot 3 / Tax Block 6508				
Type of Request	Final Development Plan 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 (without drive-through service); Restaurant (with 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 - TWO PHASE] in order to construct a 9,861 sf building.				
Proposal	The petitioner is requesting Final Development Plan approval for property zoned HB-S TWO PHASE. The petitioner is requesting the following uses: • Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); and General Merchandise Store				
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.				
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				
Logation	GENERAL SITE INFORMATION Southeast corner of Hence Mill Pond and Hence Mill Court				
Location	Southeast corner of Hanes Mill Road and Hanes Mill Court				
Jurisdiction	City of Winston-Salem				

Ward(s)	Northeast				
Site Acreage	Approximately ± 1.65	acre			
Current	Undeveloped				
Land Use					
Physical	The site is relatively flat in the interior and has a moderate slope				
Characteristics	downward toward the east and southeast around the perimeter of the				
	site.				
Proximity to Water	Public water and sewe	er are availab	le to the site.		
and Sewer					
Stormwater/	No known issues.				
Drainage					
Watershed and	The site is not within a	a water suppl	y watershed.		
Overlay Districts					
Analysis of General	Site is adequate for the	e proposed in	nprovements.		
Site Information					
Generalized	BRIEF DESCRIPTION OF CONDITION(S):				
Recommended	1	Storm water study condition			
Conditions	See previously approved conditions below.				
	CCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage		Capacity/LOS D	
YY	D :	2012	Count	27.4	
Hanes Mill Court	Private street	281'	NA	NA	
Summit Square Court	Private street	249'	NA	NA 20.100	
Hanes Mill Road	Major Thoroughfare	384'	NA	30,100	
Proposed Access	Hanes Mill Court				
Point(s) Planned Road	The Thoroughfore Die	n raaamman	da aidəyyəllə ələ	ong Hangs Mill	
	Road.	The Thoroughfare Plan recommends sidewalks along Hanes Mill			
Improvements Sidewalks					
Sluewalks	Sidewalks are currently located along Hanes Mill Road on the				
	adjacent site. Sidewalks are recommended along the northern (Hanes Mill Road), western and southern property lines.				
Transit	Route 44 Northern Connector along Hanes Mill Road				
Analysis of Site	Access to the site is adequate. Staff recommends sidewalks with				
Access and	lateral connections along all three street/easement frontages and the				
Transportation	installation of curb and gutter along Hanes Mill Road.				
Information	or the man grows along rance rand.				
Generalized	BRIEF DESCRIPTION OF CONDITION(S):				
Recommended				ent frontages with	
Conditions	lateral connections and install curb and gutter along Hanes Mill				
	Road.				
	 See previously approved conditions below. 				
SITE PL	AN COMPLIANCE V	WITH UDO	REQUIREME	NTS	
Building	Square Footage		Placement on Site		
Square Footage	9,861 sf		Southea	astern corner	
Parking	Required	Prop	oosed	Layout	

	Awaiting revised site		ting revised		In front of building	
Duilding Height	plan		ite plan			
Building Height	Maximum			Proposed		
	60'			One story		
Impervious Coverage	Maximum			Proposed		
	85%			65.26%		
UDO Sections	Chapter B, Section 2-1.3 (I) Highway Business District					
Relevant to Subject						
Request						
Complies with						
Chapter B, Article VII, Section 7-5.3	(B) Environmental Ord.		NA			
V11, Section 7-3.3	(C) Subdivision Regulation	ns	NA			
Analysis of Site Plan	This proposed Final Development Plan is for a 9,861 square foot					
Compliance with	commercial building. The site fronts along Hanes Mill Road;					
UDO Requirements	however, the access is via Hanes Mill Court (private) which connects					
	to both Hanes Mill Road and Summit Square Boulevard.					
	Staff anticipates the receipt of a revised site plan which addresses the following site plan issues and will therefore be in compliance with the requirements of the UDO.					
Generalized	BRIEF DESCRIPTION OF CONDITION(S):					
Recommended	See previously approved conditions below.					
Conditions	1 7 11					

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal			
Request would allow for additional commercial				
development.				

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

PRIOR TO THE ISSUANCE OF GRADING PERMITS

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OTHER REQUIREMENTS

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STAFF RECOMMENDATION: Approval

<u>NOTE:</u> These are **staff comments** only; <u>final recommendations</u> on projects are made by the City-County Planning Board, with <u>final decisions</u> 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 final development plan, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Jerry Clark

VOTE:

FOR: Jerry Clark, Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Lynne

Mitchell, Paul Mullican, Brenda Smith

AGAINST: None EXCUSED: None

A. Paul Norby, FAICP Director of Planning

