DOCKET #: W2810
(Continued from 11/10/05 CCPB meeting)

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

EXISTING ZONING:
RS9 and RM18

PETITIONER:
Peters Creek Properties Inc. for property owned by Turnpike Properties Inc.

SCALE: 1" represents 300'
STAFF: King
GMA: 3
ACRE(S): 4.30
MAP(S): 624838, 624834
January 25, 2006

Turnpike Properties, Inc.
1100-C S. Stratford Road, Suite 102
Winston-Salem, NC  27103

RE:   ZONING MAP AMENDMENT W-2810

Dear Sir:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, AICP
Director of Planning

pc:   City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
Stephen G. Calaway, 1330 Ashley Square, Winston-Salem, NC  27103
## ACTION REQUEST FORM

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

### COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Map Amendment of Peters Creek Properties, Inc. for property owned by Turnpike Properties, Inc.

### SUMMARY OF INFORMATION:

Zoning Map Amendment of Peters Creek Properties, Inc. for property owned by Turnpike Properties, Inc. from RS-9 and RM-18 to HB-S [Outdoor Display, Retail; Nursery, Lawn & Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Banking & Financial Services; Building Contractors, General; Car Wash; Medical or Dental Laboratory; Medical & Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Personal – TWO PHASE]: property is located on the north and south sides of Southpark Boulevard, west of Peters Creek Parkway (Zoning Docket W-2810).

### PLANNING BOARD ACTION:

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS
BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RS-9 and RM-18 to HB-S [Outdoor Display, Retail; Nursery, Lawn & Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Banking & Financial Services; Building Contractors, General; Car Wash; Medical or Dental Laboratory; Medical & Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Personal – TWO PHASE] the zoning classification of the following described property:

Tax Block 3856, Tax Lots 109B, 109C, 112, 113, and 115

Section 2. This Ordinance is adopted after approval of the site plan entitled Peters Creek Properties, Inc./Modern Toyota and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20___ to Peters Creek Properties, Inc. for property owned by Turnpike Properties, 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 Peters Creek Properties, Inc./Modern Toyota. 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 Peters Creek Properties, Inc. for property owned by Turnpike Properties, Inc., (Zoning Docket W-2810). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for HB-S [Outdoor Display, Retail; Nursery, Lawn & Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Banking & Financial Services; Building Contractors, General; Car Wash; Medical or Dental Laboratory; Medical & Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Personal – TWO PHASE], approved by the Winston-Salem City Council the ______ day of _____________________, 20____" and signed, provided the property is developed in accordance with requirements of the HB-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 approval from the City Stormwater Division.
  b. Developer shall obtain WSDOT driveway permit.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  a. Phase II Condition - Developer shall install sidewalks along the frontage of Southpark Boulevard for the Phase II portion of the site, to the specifications of the City of Winston-Salem Public Works Department. This condition shall not be applicable for Phase I, which is to be done by others.
  b. Any damaged sidewalk or curb along Southpark Boulevard shall be replaced or repaired to the requirements of the Public Works Department.
• OTHER REQUIREMENTS
  a. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet. (One 6’ high monument sign for Tract I and one 6’ high monument sign for Tract II.)
  b. All on site lighting shall be a maximum of 18 feet tall and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent properties.
## PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2810</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Aaron King</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Peters Creek Properties, Inc.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Turnpike Properties, Inc.</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 109B, 109C, 112, 113, and 115 /Tax Block 3856</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special use (two-phase) rezoning from RM-18 and RS-9 to HB-S to add parking for an adjacent car dealership.</td>
</tr>
<tr>
<td>Continuance Information</td>
<td>This request was continued from the November 10, 2005 Planning Board meeting to allow the petitioner to amend the original general use request to a special use rezoning request.</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RM-18 (Residential Multifamily) and RS-9 (Residential Single Family) to HB-S (Highway Business – Special Use Zoning TWO PHASE). The petitioner is requesting the following uses:</td>
</tr>
<tr>
<td></td>
<td>• Outdoor Display, Retail; Nursery, Lawn &amp; Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Banking &amp; Financial Services; Building Contractors, General; Car Wash; Medical or Dental Laboratory; Medical &amp; Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Personal</td>
</tr>
<tr>
<td>Zoning District Purpose Statement</td>
<td>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.</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</td>
<td>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</td>
</tr>
<tr>
<td></td>
<td>The subject property is located within GMA 3.</td>
</tr>
</tbody>
</table>

## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>North and south sides of Southpark Boulevard, west of Peters Creek Parkway</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 ± 4.31 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Undeveloped land</td>
</tr>
</tbody>
</table>
**Direction**

<table>
<thead>
<tr>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB-S</td>
<td>RM-18</td>
<td>HB-S</td>
<td>RM-18; RM-12-S</td>
</tr>
</tbody>
</table>

**Zoning District**
- North: HB-S
- South: RM-18
- East: HB-S
- West: RM-18; RM-12-S

**Use**
- Car dealership
- Multifamily units; undeveloped land
- Gas station, fast food restaurants
- Multifamily units

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**Surrounding Property Zoning and Use**

- North HB-S: Car dealership
- South RM-18: Multifamily units; undeveloped land
- East HB-S: Gas station, fast food restaurants
- West RM-18; RM-12-S: Multifamily units

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**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 use indicated on the Phase I portion of this site is Outdoor Display Retail. This use would be compatible with the existing car dealership to the north. The additional uses being requested would also be compatible with surrounding properties. In the event that the Phase I portion of the site converted from display parking to one of other requested uses, development would most likely occur east of the ravine and away from the adjacent RM-12-S zoned property.

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**Physical Characteristics**

The subject property slopes down generally from east to west, with a substantial ravine located on the northwest portion of the site.

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**Proximity to Water and Sewer**

The subject property has access to public water and public sanitary sewer.

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**Stormwater/Drainage**

The site plan indicates that stormwater will be discharged into the creek running through the western portion of the property. No stormwater design is shown for the Phase II portion of the site which will be reviewed at a later date as a Final Development Plan (FDP).

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**Watershed and Overlay Districts**

The subject property is not located within a water supply watershed.

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**Analysis of General Site Information**

The subject property is approximately 4.31 acres in size and is currently undeveloped and covered with a mixture of vegetation. The site presents some difficulties and constraints to development due to the topography of the land. The property contains a ravine that runs generally through the middle of the property on both sides of South Park Boulevard. The Phase I site plan indicates that development will occur east of this ravine. The site is also subject to a 128’ wide Duke Power right-of-way that runs parallel to the southwest property line.

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**Generalized Recommended Conditions**

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

- Stormwater condition

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**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>South Park Blvd.</td>
<td>Local Road</td>
<td>+/- 450 feet</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

The site plan indicates that Phase I will have one access point onto Southpark Boulevard along with connections to adjacent properties to the north and east. No access points onto Southpark Boulevard are shown for Phase II of the site and will be determined through FDP review.
<table>
<thead>
<tr>
<th>Planned Road Improvements</th>
<th>None noted</th>
</tr>
</thead>
</table>
| Trip Generation - Existing/Proposed | **Existing Zoning:** RS-9 & RM-18  
0.45 acres (RS-9) x 43,560 / 9,000 = 2 units x 9.57 (SFR Trip Rate) = 19 Trips per Day  
3.85 acres x RM-18 = 69 units x 6.59 (MFR Trip Rate) = 454 Trips per Day  
**Total Trips per Day = 473**  
**Proposed Zoning:** HB-S  
No trip generation numbers available |
| Sidewalks | Proposed sidewalks are shown along the north side of Southpark Boulevard. These proposed sidewalks were a condition of approval for the rezoning of the RM-12-S (W-2602) site to the west. |
| Transit | Route 13 runs along Peters Creek Parkway. |
| Analysis of Site Access and Transportation Information | The subject property fronts on both the north and south side of Southpark Boulevard. Even though this is a special use request, it is difficult to estimate the number of trips this development would generate. Since the only use of the Phase I portion of the site is designated for display parking, it can be anticipated that these additional display spaces should not generate a large amount of traffic. The approved site plan for the RM-12-S (W-2602) development to the west requires a sidewalk be installed along the north side of Southpark Boulevard extending the length of the RM-12-S frontage. The site plan submitted with this request has labeled this as “proposed sidewalk to be constructed by others.” |
| Generalized Recommended Conditions | **BRIEF DESCRIPTION OF CONDITION(S):**  
- Sidewalk condition for Phase II tract  
- Damaged curb & gutter to be repaired  
- Condition for driveway permit |
| **CONFORMITY TO PLANS AND PLANNING ISSUES** | |
| **Legacy GMA** | GMA 3 (Suburban Neighborhoods) |
| **Relevant Legacy Recommendations** | Legacy mentions that “increased infill development could bring new opportunity and improved quality of life for residents within the Municipal Services Area, especially for neighborhoods within the city. Increased tax base, property values, jobs closer to home and increased investment and amenities in these neighborhoods are some of the potential benefits.” |
| **Relevant Area Plan(s)** | The subject property is not located within the boundaries of an area plan or development guide. |
The subject property is located in an area that has seen increased development pressure in the past 10-15 years. Subsequently, the multifamily units to the west and commercial development along Peters Creek Parkway have been developed. In the initial review of this case staff had concerns about the compatibility of some of the uses allowed in the HB district with the adjacent RM-18 property. The site plan submitted with this request has helped to address staff’s concerns. With the 128’ Duke Power easement running along the southwest property line, it leaves only a small triangular piece of property where any future structures can be placed. Any further concerns could be addressed at the time when a Final Development Plan for Tract II is submitted.
The site plan as submitted meets the requirements of the UDO, however staff is awaiting minor revisions requested by the Interdepartmental Review Committee. The Phase I portion of the site is approximately 2.19 acres in size and will be used as additional display parking for the adjacent car dealership. Tract II is approximately 2.14 acres in size and will require a Final Development Plan to be approved prior to any development. All development will occur east of the Duke Power easement.

**Brief Description of Condition(s):**

- Signage condition
- Lighting condition

**Conclusions to Assist with Recommendation**

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The request could provide infill opportunity for the area.</td>
<td></td>
</tr>
<tr>
<td>The request is in conformance with the recommendations of <em>Legacy</em>.</td>
<td></td>
</tr>
<tr>
<td>The request should not generate a large amount of traffic.</td>
<td></td>
</tr>
<tr>
<td>The request makes good use of a site with a stream, challenging topography, and overhead power line easements.</td>
<td></td>
</tr>
</tbody>
</table>

**Site-Specific Recommended Conditions of Approval**

**Prior to the Issuance of Grading Permits:**

a. Developer shall obtain approval from the City Stormwater Division.

b. Developer shall obtain WSDOT driveway permit.

**Prior to the Issuance of Occupancy Permits:**

a. Phase II Condition - Developer shall install sidewalks along the frontage of Southpark Boulevard for the Phase II portion of the site, to the specifications of the City of Winston-Salem Public Works Department. This condition shall not be applicable for Phase I, which is to be done by others.

b. Any damaged sidewalk or curb along Southpark Boulevard shall be replaced or repaired to the requirements of the Public Works Department.

**Other Requirements:**

a. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet. *(One 6’ high monument sign for Tract I and one 6’ high monument sign for Tract II)*

b. All on site lighting shall be a maximum of 18 feet tall and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent properties.
STAFF RECOMMENDATION: APPROVAL

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

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Dara Folan moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Carol Eickmeyer
VOTE:

FOR: Clark, Curtis, Eickmeyer, Folan, Glenn, King, Smith
AGAINST: None
EXCUSED: None

________________________
A. Paul Norby, AICP
Director of Planning