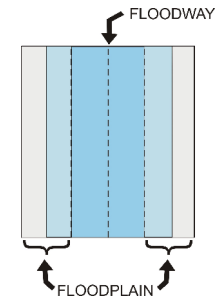


**DOCKET #:** W2989

**PROPOSED ZONING:**  
Site Plan Amendment

**EXISTING ZONING:**  
HB-S

**PETITIONER:**  
MCWO LTD Partnership  
for property owned by  
Same



**SCALE:** 1" represents 300'

**STAFF:** Roberts

**GMA:** 3

**ACRES:** 1.23

**NEAREST  
BLDG:** 45' east

**MAP(S):** 618882

**F**

July 23, 2008

MCWO LTD Partnership  
4007-A Country Club Road  
Winston-Salem, NC 27104

RE: SITE PLAN AMENDMENT W-2989

Dear Sirs:

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

Sincerely,

A. Paul Norby, FAICP  
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102

**ACTION REQUEST FORM**

**DATE:** July 23, 2008  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Site Plan Amendment of MCWO LTD Partnership

**SUMMARY OF INFORMATION:**

Site Plan Amendment of MCWO LTD Partnership for a HB-S (Adult Day Care Center; Arts and Crafts Studio; Child Day Care, Small Home; Child Day Care, Large Home; Child Day Care Center; Funeral Home; Medical or Dental Laboratories; Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; Banking and Financial Services; Parking, Commercial; Services, Business A, Services, Business B; Services, Personal; Building Contractors, General; Building Contractors, Heavy; Signs, Off-Premises; Warehousing; Wholesale Trade A; Wholesale Trade B; Storage and Salvage Yard; ABC Store; Building Material Supply; Convenience Store; Food and Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; Storage Services, Retail) zoned parcel: property is located on the east side of Eltha Drive, south of Shattalon Drive (Zoning Docket W-2989).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - SPECIAL USE

Site Plan Amendment of MCWO LTD Partnership,  
Docket W-2989

AN ORDINANCE AMENDING THE  
WINSTON-SALEM CITY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE CITY OF WINSTON-SALEM, N.C.

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BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by granting a Site Plan Amendment for property zoned HB-S (Adult Day Care Center; Arts and Crafts Studio; Child Day Care, Small Home; Child Day Care, Large Home; Child Day Care Center; Funeral Home; Medical or Dental Laboratories; Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; Banking and Financial Services; Parking, Commercial; Services, Business A, Services, Business B; Services, Personal; Building Contractors, General; Building Contractors, Heavy; Signs, Off-Premises; Warehousing; Wholesale Trade A; Wholesale Trade B; Storage and Salvage Yard; ABC Store; Building Material Supply; Convenience Store; Food and Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; Storage Services, Retail) - Site Plan Amendment] and described as follows:

Tax PINs 6828-22-0884 and 6828-22-1614

Section 2. This Ordinance is adopted after approval of the site plan entitled MCWO LTD Partnership and identified as Attachment "A" of the Special Use District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, to MCWO LTD Partnership.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to

be known as MCWO LTD Partnership. 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 MCWO LTD Partnership, (Zoning Docket W-2989). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for HB-S (Adult Day Care Center; Arts and Crafts Studio; Child Day Care, Small Home; Child Day Care, Large Home; Child Day Care Center; Funeral Home; Medical or Dental Laboratories; Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; Banking and Financial Services; Parking, Commercial; Services, Business A, Services, Business B; Services, Personal; Building Contractors, General; Building Contractors, Heavy; Signs, Off-Premises; Warehousing; Wholesale Trade A; Wholesale Trade B; Storage and Salvage Yard; ABC Store; Building Material Supply; Convenience Store; Food and Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; Storage Services, Retail), 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 have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. An engineered lighting plan shall be submitted to Inspections for any proposed lighting demonstrating the use of full-cut off fixtures, light height @ 25' or less and no more than 0.5 foot-candles at the property line.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Lighting shall be installed per approved lighting plan and certified by an engineer.
  - b. Proposed vinyl coated chain link fence shall be in substantial compliance with Exhibit A and shall be placed on the inside of the bufferyard.
  - c. Developer shall install all stormwater management devices.
  - d. Developer shall record a negative access easement along the Eltha Drive frontage except where a gated emergency entrance may be located.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>			
<b>Docket #</b>	W-2989		
<b>Staff</b>	<a href="#">Gary Roberts, Jr. AICP</a>		
<b>Petitioner(s)</b>	MCWO LTD Partnership		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	PINs 6828-22-0884 and 6828-22-1614		
<b>Type of Request</b>	Site Plan Amendment		
<b>Proposal</b>	The petitioner is requesting a site plan amendment for a HB-S zoned site for the uses: Parking, Commercial; and Storage Services, Retail.		
<b>Zoning District Purpose Statement</b>	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.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	East side of Eltha Drive, south of Shattalon Drive		
<b>Jurisdiction</b>	City of Winston-Salem		
<b>Ward(s)</b>	North		
<b>Site Acreage</b>	Approximately ± 1.23 acres		
<b>Current Land Use</b>	The subject property is currently undeveloped.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	HB-S	Various commercial uses
	East	HB-S	
	South	RM18-S	Multifamily
West	RS-9 & RM18-S	Single and Multifamily Residential	
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>		
	Yes, the site is located in an area that is composed of various commercial, multifamily, and institutional uses.		
<b>Physical Characteristics</b>	The site is heavily wooded and has a moderate slope down from the north to the south.		
<b>Proximity to Water and Sewer</b>	The subject property will be served by public water and sewer.		
<b>Stormwater/ Drainage</b>	A stormwater study will be required with this request. The site plan includes a stormwater pond on the southern end of the site.		
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed.		



<b>Analysis of General Site Information</b>	The site appears to be suitable for the proposed improvements.			
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b>			
	<ul style="list-style-type: none"> <li>Condition for stormwater study</li> </ul>			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
Eltha Drive	Local street	437'	NA	NA
University Parkway	Major Thoroughfare	See below	38,000	30,100
<b>Proposed Access Point(s)</b>	The subject property has public road frontage along Eltha Drive; however, it is accessed by University Parkway via a private drive on the adjacent site to the east.			
<b>Trip Generation - Existing/Proposed</b>	<u>Estimated Trip Generation</u> 11,800/1,000 x 2.5 (Mini-Warehouse Trip Rate) = 30 Trips per Day			
<b>Sidewalks</b>	There are no sidewalks in the general area.			
<b>Transit</b>	Route 44 along Shattalon Drive and Route 10 along University Parkway			
<b>Traffic Impact Study (TIS)</b>	Not required because this is a Site Plan Amendment for a previously approved HB-S zoning district.			
<b>Analysis of Site Access and Transportation Information</b>	While the subject property has frontage on Eltha Drive, it will be served by University Parkway. WSDOT staff recommends a negative access easement to be recorded along the frontage of Eltha Drive. Staff does not anticipate any negative transportation impacts from this request.			
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>				
<b>Legacy GMA</b>	Growth Management Area 3 (Suburban Neighborhoods)			
<b>Relevant Area Plan(s)</b>	<i>North Suburban Area Plan, 2005</i>			
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>This site is recommended as high-density residential in the <i>NSAP</i>; however, the site is currently zoned HB-S.</li> </ul>			
<b>Analysis of Conformity to Plans and Planning Issues</b>	The <i>North Suburban Area Plan</i> recommends high-density residential for the subject property; however, the site is currently zoned HB-S. In order to minimize the impact of the proposed parking, vehicular circulation area and storage building to the adjacent residential development, staff recommends a lighting condition along with the use of a Type II or Type III bufferyard along Eltha Drive. A bufferyard would be more appropriate than a streetyard at this location because it would provide more substantial screening of the proposed buildings and parking areas. It is also recommended that a vinyl coated fence (without razor wire) as shown on Exhibit A, be used along Eltha Drive and that said fence be placed on the east side of the bufferyard. The revised site plan addresses these concerns.			

<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b>					
	<ul style="list-style-type: none"> <li>• Lighting condition</li> <li>• Fencing condition</li> </ul>					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1902	R-4, B3-S & B3 to B3-S (HB-S)	Approved 6-6-94	Included current site	5.15	Denial	Denial
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>						
<b>Building Square Footage</b>	<b>Square Footage</b>		<b>Placement on Site</b>			
	11,800 sf		Eastern side			
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>		<b>Layout</b>		
	5 spaces	5 spaces		90° head-in		
<b>Building Height</b>	<b>Maximum</b>			<b>Proposed</b>		
	60 feet			18 feet		
<b>Impervious Coverage</b>	<b>Maximum</b>			<b>Proposed</b>		
	85%			60.8%		
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>• Chapter B, Article II, Section 2-1.3(I) HB District</li> </ul>					
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>	<b>(A) Legacy policies:</b>		Yes			
	<b>(B) Environmental Ord.</b>		NA			
	<b>(C) Subdivision Regulations</b>		NA			
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	The site plan proposes an 11,800 square foot storage building. When the subject property was rezoned to B-3-S in 1994, the site plan included two similar storage buildings on this portion of the site. Because the current request proposes a design that does not match what was shown on the original approved site plan, a site plan amendment is required.					
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>						
<b>Positive Aspects of Proposal</b>			<b>Negative Aspects of Proposal</b>			
The request represents a low traffic generating use.			The request will result in the removal of vegetation on a wooded site.			
The site is already zoned HB-S.						
The site is located in an area that is primarily composed of commercial, multifamily, and institutional uses.						

### **SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  - a. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department.
  
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. An engineered lighting plan shall be submitted to Inspections for any proposed lighting demonstrating the use of full-cut off fixtures, light height @ 25' or less and no more than 0.5 foot-candles at the property line.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Lighting shall be installed per approved lighting plan and certified by an engineer.
  - b. Proposed vinyl coated chain link fence shall be in substantial compliance with Exhibit A and shall be placed on the inside of the bufferyard.
  - c. Developer shall install all stormwater management devices.
  - d. Developer shall record a negative access easement along the Eltha Drive frontage except where a gated emergency entrance may be located.

### **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**

**SITE PLAN AMENDMENT MOTION:** Paul Mullican moved approval and certified that the site plan meets all code requirements and recommends staff conditions.

**SECOND:** Arthur King

VOTE:

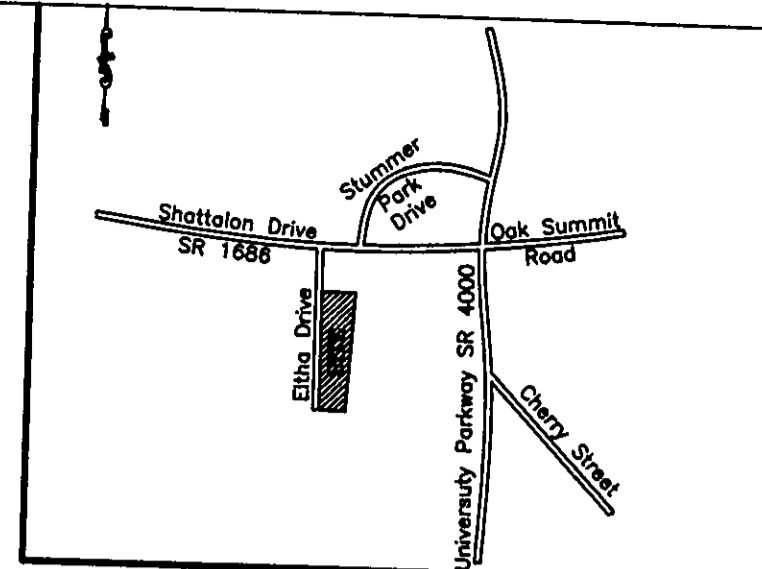
FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning



Location Map Not to Scale

MUDDY CREEK WATERSHED  
CLASSIFICATION: PHASE II CITY

The purpose of the submittal is a HB-S site plan amendment.

Jurisdiction: City of Winston-Salem

<p><b>ZONING</b></p> <p>Existing Zoning: <u>HB-S</u></p> <p>Proposed Zoning: <u>Site Plan Amendment</u></p> <p>Type of Review Requested: <u>Site Plan approval</u></p> <p>Previous Docket#: <u>W-1902</u></p>	<p><b>OFF-STREET PARKING</b></p> <p>Proposed Uses: <u>Parking, commercial Storage services, retail</u></p> <p>Parking Calc.: <u>5</u> Spaces / &gt;100 units</p> <p>Required Parking: <u>5</u> Spaces.</p> <p>Parking Provided: <u>5</u> Spaces.</p>
<p><b>SITE SIZE AND COVERAGES</b></p> <p>Total Acreage: <u>1.234 ±</u> Acres.</p> <p>Site Coverages:</p> <p>Building to Land <u>38.9%</u> %</p> <p>Pavement to Land: <u>21.8%</u> %</p> <p>Open Space: <u>39.2%</u> % (Total = 100%)</p> <p>Building Sq. Footage (Max.): <u>11,800</u> Sq. Ft.</p> <p>Building Height: <u>18'</u> Max Ft.</p>	<p><b>OFF-STREET LOADING (if applicable)</b></p> <p>Req'd Load/Unload Spaces: <u>N/A</u></p> <p>Load/Unload Spaces Provided: <u>N/A</u></p> <p>Size: <u>      </u> ft. x <u>      </u> ft.</p> <p><b>BUFFERYARDS (if applicable)</b></p> <p>Adjoining Zoning: <u>HB-S, RS9, RM-18S</u></p> <p>Type Required: <u>15' Min. Type II</u></p> <p>Width Provided: <u>18' Min. Type II</u></p> <p>Fence Option: <u>X</u> Yes <u>      </u> No</p>
<p><b>INFRASTRUCTURE</b></p> <p>Water: <u>X</u> Public <u>      </u> Private</p> <p>Sewer: <u>X</u> Public <u>      </u> Private</p> <p>Streets: <u>X</u> Public <u>      </u> Private</p>	<p><b>DENSITY CALCULATIONS (if applicable)</b></p> <p>Number of Units or Lots: <u>N/A</u> Units/Lots</p> <p>Density: <u>      </u> Units/Acre or Lots/Acre</p> <p>(<u>      </u> Acres/Unit or Acres/Lot)</p>

- NOTES:
- This map is a compilation of information from deeds, county tax information, structures and topographic information furnished by the Forsyth County GIS.
  - All water lines, sewer lines and hydrants indicated are provided from Forsyth County GIS and Utilities Administration files.

NOT AN ACTUAL SURVEY

**ELTHA DRIVE**  
Site Plan

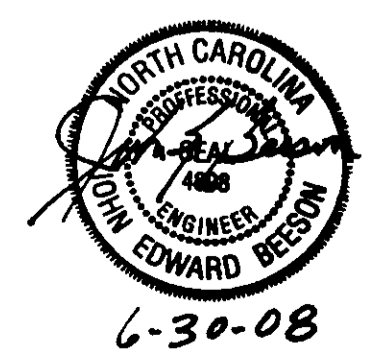
**MCWO LTD PARTNERSHIP**  
4007-A Country Club Road  
Winston-Salem, NC 27104  
(336) 768-1922  
(336) 768-1963 FAX

SCALE 1" = 60'

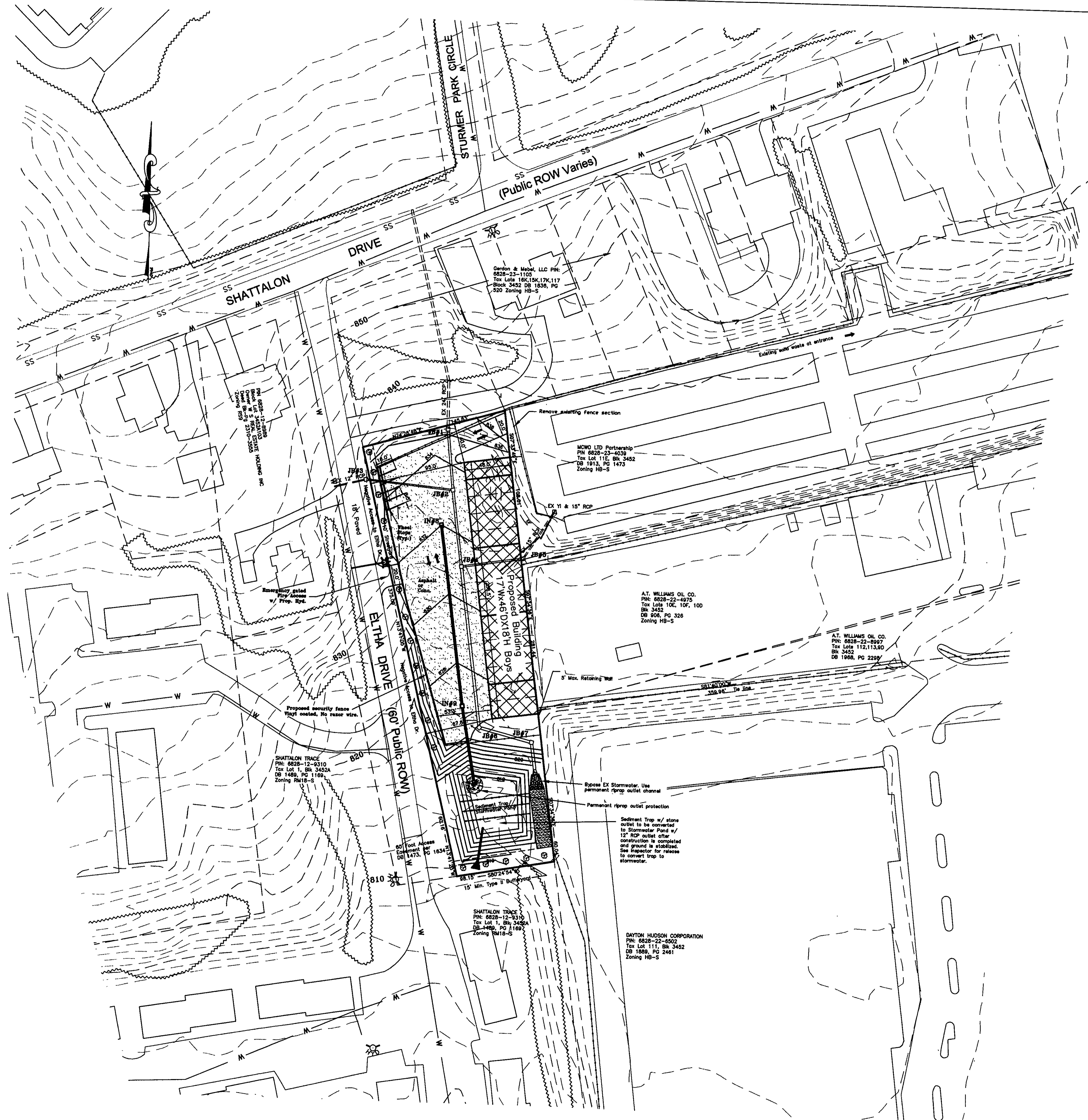
50 25 0 25 50 100

FIELD WORK BY P.L.MC.DH		CHECKED BY JEB
Block / Lot 3482A/104 3482A/102B	FIN: 8828-22-0884 8828-22-1614	Deed Book/Page 1918/1473 642/105
TOWNSHIP: Winston	CITY: Winston-Salem	COUNTY: Forsyth
STATE: North Carolina	DATE: 06/02/08	SHEET NUMBER: 1 of 1
JOB NUMBER: 08100.001	DRAWN BY: ATC/TLBC	

**BEESON ENGINEERING INC.**  
ENGINEERS SURVEYORS PLANNERS  
503 HIGH STREET  
WINSTON-SALEM, NC 27101  
TELEPHONE: (336) 748-0071  
FAX: (336) 748-0470  
www.beesonengineering.com



W-2989 Revised



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