

# August 20, 2008

Daniel W. Donathan 1022 West First Street Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-2996

Dear Mr. Donathan:

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 Erik Morrison, 507 Heritage Place, Greensboro, NC 27405

## **ACTION REQUEST FORM**

**DATE**: August 20, 2008

**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 Daniel W. Donathan

#### SUMMARY OF INFORMATION:

Zoning map amendment of Daniel W. Donathan from PB-S (Offices, Miscellaneous; Profession Office; Banking & Financial Services; and Parking, Commercial) to PB-S [Professional Office; Medical and Surgical Offices; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; General Merchandise Store; Retail Store, Specialty or Miscellaneous; Combined Use; and Restaurant (without drive-through service)]: property is located on the southeast corner of First Street and Park Circle (Zoning Docket W-2996).

## 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

Zoning Petition of <u>Daniel W. Donathan</u>, Docket <u>W-2996</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 PB-S (Offices, Miscellaneous; Profession Office; Banking & Financial Services; and Parking, Commercial) to PB-S [Professional Office; Medical and Surgical Offices; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; General Merchandise Store; Retail Store, Specialty or Miscellaneous; Combined Use; and Restaurant (without drive-through service)] the zoning classification of the following described property:

PIN# 6825-85-7373

Section 2. This Ordinance is adopted after approval of the site plan entitled <u>Park Place</u> and identified as Attachment "A" of the Special Use District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_ to <u>Daniel W. Donathan</u>.

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 <u>Park Place</u>. 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 <a href="Daniel W. Donathan">Daniel W. Donathan</a>, (Zoning Docket <a href="W-2996">W-2996</a>). 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 <a href="PB-S">PB-S</a>
[Professional Office; Medical and Surgical Offices; Residential Building, Multifamily;

Residential Building, Townhouse; Residential Building, Twin Home; Residential Building,

Duplex; General Merchandise Store; Retail Store, Specialty or Miscellaneous; Combined Use; and Restaurant (without drive-through service)], approved by the Winston-Salem City Council the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 20\_\_\_\_\_\_" and signed, provided the property is developed in accordance with requirements of the <a href="PB-S">PB-S</a> 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 City of Winston-Salem Public Works Department.

### • PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

a. Any on-street parking shall be approved by the Public Works Director.

#### PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. Any damage to City maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the Public Works Department.
- b. All required improvements of the City of Winston-Salem/NCDOT driveway permit shall be completed.

# CITY-COUNTY PLANNING BOARD STAFF REPORT

PETITION INFORMATION							
Docket #	W-2996						
Staff	Aaron King						
Petitioner(s)	Daniel W. Donathan						
Owner(s)	Same						
<b>Subject Property</b>	PIN# 6825-85-7373						
Type of Request	Special use rezoning to add residential and commercial uses to the						
	existing approved office uses.						
Proposal	The petitioner is requesting to amend the Official Zoning Maps for the						
	subject property <b>from</b> PB-S (Pedestrian Business – Special Use Zoning)						
	<b>to</b> PB-S (Pedestrian Business – Special Use Zoning). The petitioner is						
	requesting the following uses:						
	Professional Office; Medical and Surgical Offices; Residential						
	Building, Multifamily; Residential Building, Townhouse; Residential						
	Building, Twin Home; Residential Building, Duplex; General						
	Merchandise Store; Retail Store, Specialty or Miscellaneous;						
	Combined Use; and Restaurant without Drive-Through Service						
<b>Zoning District</b>	The PB District is primarily intended to accommodate office, retail,						
Purpose	service, institutional, and high density residential uses which customarily						
Statement	serve community and convenience business needs of smaller communities						
	and urban nodes in the city and county. The district is intended to						
	encourage the development of attractive, identifiable small towns, and to						
	accommodate the pattern of building in the business concentrations						
	surrounding the central core of Winston-Salem, and the central core of						
	other municipalities in the County. The district should demonstrate						
	pedestrian oriented design through elements such as buildings pulled up						
	to the street, on-street parking, street trees, covered arcades, awnings,						
	storefront display windows, public/private outdoor spaces, wide						
	sidewalks, and building entrances facing the street. This district is						
	intended for application in Growth Management Areas 1, 2 and 3.						
Applicable	(S)(1) - Is the proposal consistent with the purpose statement(s) of the						
Rezoning	requested zoning district(s)?						
Consideration	Yes, the subject property is located within GMA 2 and would provide a						
from Chapter B,	mixture of uses.						
Article VI,							
Section 6-2.1(S)	GENERAL SITE INFORMATION						
Location	Southeast corner of First Street and Park Circle						
Jurisdiction	City of Winston-Salem						
Ward(s)	Northwest						
	Approximately $\pm 0.39$ acres						
Site Acreage	Approximatery $\pm$ 0.59 acres						

Current Land Use	Existing office building					
Surrounding	Direction	Use				
Property Zoning	North	Zoning Di	Strict	Office building		
and Use	East	Existing residential buildings				
	Lust	PB-S		(ballpark property)		
	South	outh PB-S		Single family home (ballpark		
		South 1 B-5		property)		
	West					
Applicable	(S)(2) - Is/are th	e use(s) permit	ted under			
Rezoning				es permitted on other		
Consideration	properties in the			•		
from Chapter B,			are currently	y zoned PB or PB-S.		
Article VI,						
Section 6-2.1(S)						
Physical		•	d only mino	or additions to the north side of		
Characteristics	the building are proposed.					
Proximity to	The subject property is served by public water and sewer.					
Water and Sewer						
Stormwater/	No known issues					
Drainage						
Watershed and	The site is not located within a water supply watershed.					
Overlay Districts						
Analysis of	The subject property currently contains a two-story office building that					
General Site	was constructed in the mid1980's. The building is located along the					
Information	southern property line with parking located between the building and First					
	Street. This request does not pose any substantial changes to the existing site layout.					
SITE	E ACCESS AND TRANSPORTATION INFORMATION					
Street Name Classification Frontage ADT Capacity/LOS D						
			Count			
West First Street	Major	145 feet	7,550	15,600		
	Thoroughfare			· ·		
Park Circle	Local Road 133 feet NA NA					
<b>Proposed Access</b>	The site plan pro	poses one acces	s point onto	First Street and one onto		
Point(s)	Park Circle.					
Planned Road	The <i>Thoroughfare Plan</i> recommends that First Street be constructed as a					
Improvements	three-lane cross section with curb and gutter and sidewalks.					
Trip Generation -	Existing Zoning: PB-S					
Existing/Proposed	10,740 / 1,000 x 11.01 (General Office Trip Rate) = 118 Trips per Day					
	Proposed Zoning: PB-S 8 MF Units x 6.59 (Multifamily Trip Rate) = 52 Trips per Day*					
	* This calculation does not include any square feetage used for					
	* This calculation does not include any square footage used for commercial or office uses.					
	commercial of office uses.					

Sidewalks	Sidewalks exist along both road frontages.					
Transit	Multiple transit routes in the general area					
Traffic Impact	Not required					
Study (TIS)						
<b>Analysis of Site</b>	Staff does not anticipate any negative transportation issues from this					
Access and	request.					
Transportation	-					
Information						
Generalized	BRIEF DESCRIPTION OF CONDITION(S):					
Recommended	Condition for City of Winston-Salem Driveway Permit					
Conditions	Condition to repair any damage to City streets					
	• Condition for any on-street parking to be approved by Public Works					
	Director					
	ONFORMITY TO PLANS AND PLANNING ISSUES					
Legacy GMA	GMA 2 (Urban Neighborhoods)					
Relevant Legacy	Legacy recommends revitalizing and concentrating development in					
Recommendations						
	these areas rather than promoting growth at the suburban fringe.					
Relevant Area	South Central Area Plan (2003)					
Plan(s)						
Area Plan	The South Central Area Plan (SCAP) recommends this site, as well as the					
Recommendations	surrounding property to the south and east, be developed as a mixed use development. The <i>SCAP</i> recommends:					
	"A mix of moderate to high density residential and office uses, with					
	some commercial uses, set in a gateway environment that will					
	support, serve, and reconnect the established neighborhoods of West					
	End, West Salem, and Holly Avenue, as well as support and motivate					
	downtown redevelopment."					
Applicable	(S)(3) - Have changing conditions substantially affected the area in					
Rezoning	the petition?					
Consideration	Yes					
from Chapter B, Article VI,	· INTERPORTED ACTION IN CONTOURNING WITH LEVILLY					
Section 6-2.1(S)	Yes					
Analysis of	The subject request is consistent with the general recommendations of					
Conformity to	Legacy and the specific recommendations of the SCAP.					
Plans and						
<b>Planning Issues</b>						

RELEVANT ZONING HISTORIES									
Case	ase Request				tion	Acreage	Recor	nmendation	
	-		Date	from	Site	S	Staff	ССРВ	
W-2936	HB, LB-S		Approved			26.05	Approval	Approval	
	LO, PB, PB-		8/9/07						
	S, & RSQ								
	PB-S (Two-								
W 1175	Phase)	<b>1</b> C	A 1	т 1	1 1	0.77	A 1	A 1	
W-1175	-1175 B-3 to B-2-S		-S Approved Include subject propert				Approval	Approval	
	SITE	PI.A	N COMPLIA			IIDO RE	OHREMEN	TS	
Building		3 3/4	Square Foota				Placement or		
Square F	ootage		11,450 sf.	.8.	Ru	ilding is		nt to the southern	
~ 4			11,100 51.				property lin		
Units (by	tvpe)	8 co	ndominium un	its at a o	density	of 20.5			
and Dens				'	- )		<i>5</i>	•	
Parking			Required	P	Proposed		L	ayout	
			spaces (for	20 off	0 off-street space		90° hea	d-in parking	
			idential use						
_	_		only)			_			
Building	<b>Building Height</b>			Maximum			Proposed		
				0 feet			32 feet		
Impervious				Maximum			Proposed		
Coverage			NA				89.5%		
UDO Sec		• Section 2-1.3(F) PB District							
Relevant									
Subject I Complies		(A) Legacy policies: Yes							
Chapter Chapter		` ´	, , ,						
	Article VII,		(B) Environmental Ord.			Yes			
Section 7-5.3		(C) Subdivision Regulations			s NA				
Analysis	As mentioned above, the			e, the p	he proposed site plan would maintain the existing				
	Plan Compliance site layout. The parki				ng calculations and layout on the proposed site plan				
	1			-	irements and will need to be revised by the site				
Requirer	Requirements plan re-submittal deadlin								
				SSIST V	ST WITH RECOMMENDATION				
	Positive Aspects of Proposal			TO <sup>4</sup>	Negative Aspects of Proposal				
The request is consistent with the			The existing building does not address the street consistent with the PB purpose statement.						
recommendations of <i>Legacy</i> and the				<i>P</i> . co	nsister	nt with the	e PB purpose s	statement.	
The site is currently zoned PB-Staff supports the proposed mix									
		opose	a mixture of us	ses					
at this loc	ation.								

Staff does not anticipate any negative	
transportation issues.	
The site is located in close proximity to the	
ballpark site.	

### 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:

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# PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

a. Any on-street parking shall be approved by the Public Works Director.

## PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- Any damage to City maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the Public Works Department.
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## STAFF RECOMMENDATION: APPROVAL

**NOTE:** These are **staff comments** only; final recommendations 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 zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Jerry Clark

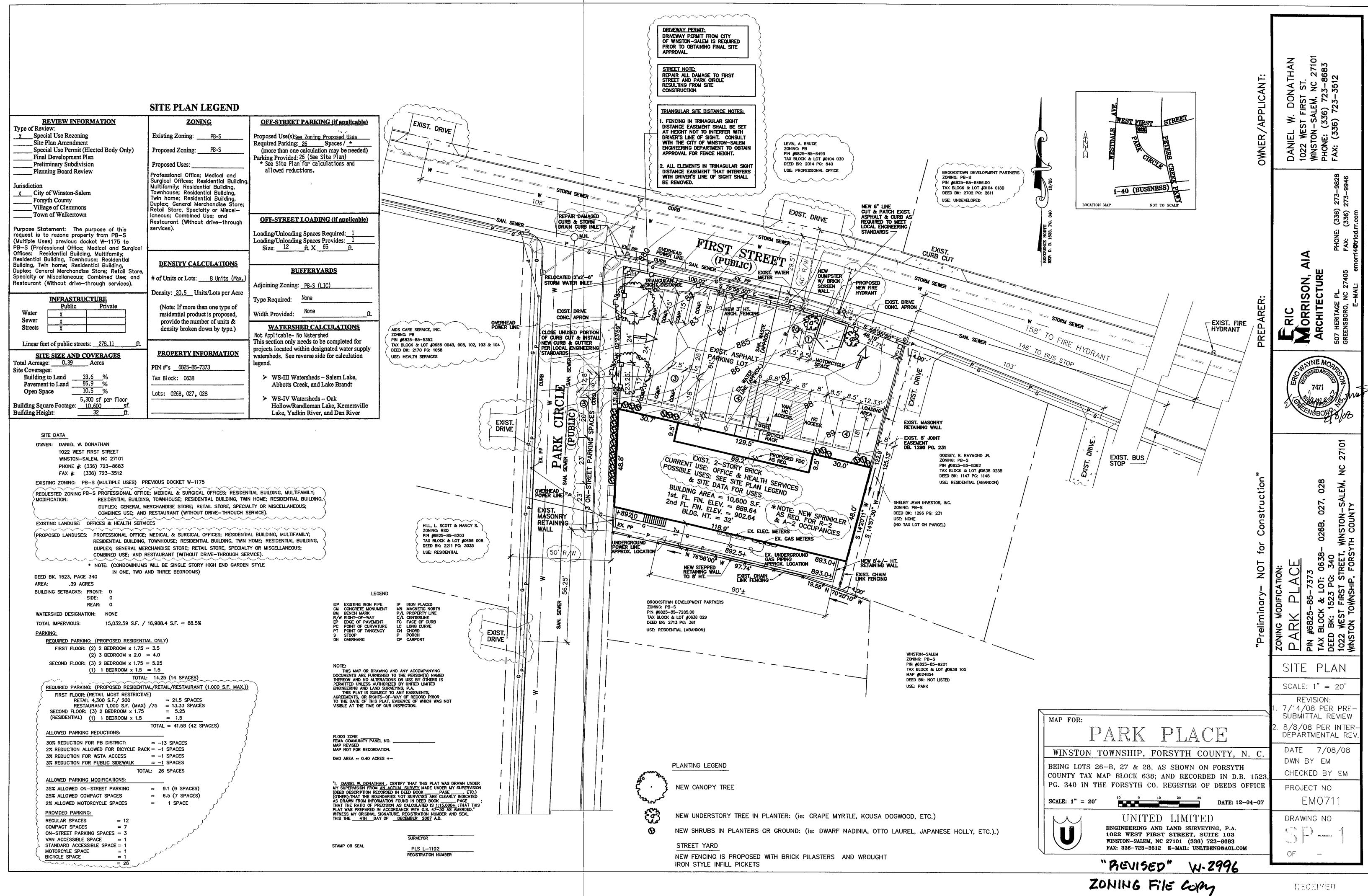
# VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Lynne

Mitchell, Paul Mullican, Brenda Smith

AGAINST: None EXCUSED: None

A. Paul Norby, FAICP Director of Planning



AUG 0 8 2008 3:30 pm