DOCKET #: W2933

PROPOSED ZONING: LI-S

EXISTING ZONING: RS9

PETITIONER: City/County Utilities Commission for property owned by City of Winston-Salem

SCALE: 1" represents 400'

STAFF: Beckom

GMA: 3

ACRES: 0.7

NEAREST BLDG: 15' southwest

MAP(S): 612894
June 29, 2007

City-County Utilities Commission
P. O. Box 2511
Winston-Salem, NC  27102

RE:   ZONING MAP AMENDMENT W-2933

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
     Terry Cornett, P. O. Box 2511, Winston-Salem, NC  27102
# ACTION REQUEST FORM

**DATE:** June 29, 2007  
**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 the City/County Utilities Commission for property owned by the City of Winston-Salem

## SUMMARY OF INFORMATION:

Zoning Map Amendment of the City/County Utilities Commission for property owned by the City of Winston-Salem from RS-9 to LI-S (Utilities; and Transmission Tower): property is located on the east side of Bethania-Rural Hall Road, south of Mizpah Church Road (Zoning Docket W-2933).

## 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 City/County Utilities Commission
for property owned by the City of Winston-Salem,
Docket W-2933

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 LI-S (Utilities;
and Transmission Tower) the zoning classification of the following described property:

Tax Block 4969, Tax Lot 020T

Section 2. This Ordinance is adopted after approval of the site plan entitled City/County
Utilities Commission and identified as Attachment "A" of the Special Use District Permit issued
by the City Council the ______ day of __________________, 20___ to City/County Utilities
Commission for property owned by the City of Winston-Salem.

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 City/County Utilities Commission. 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 City/County Utilities Commission for property owned by the City of Winston-Salem, (Zoning Docket W-2933). 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 LI-S (Utilities; and Transmission Tower), approved by the Winston-Salem City Council the _____ day of __________________, 20____" and signed, provided the property is developed in accordance with requirements of the LI-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 ISSUANCE OF ANY PERMITS:**
  a. Obtain a driveway permit form NCDOT

• **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All requirements of the driveway permit shall be completed.
  b. Dedicate 35 feet from center line on NC 65 as public right-of-way.
  c. Developer shall contact city DOT regarding conduit access to the tower for the installation of a traffic monitoring television camera.
CITY-COUNTY PLANNING BOARD
STAFF REPORT

PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2933</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Jesse Beckom III</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>City/County Utility Commission</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Woodland Baptist Church</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 020T/Tax Block 4969</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Rezoning</td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 to LI-S. The petitioner is requesting the following uses:

- Installation of a 150 ft. tall transmission tower to allow integration of existing, on-site pump station into overall utilities systems controls.

**Zoning District Purpose Statement**

The LI District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial and service activities which, in their normal operations, have little or no adverse effect upon adjoining properties. The district is established to provide locations for industrial development in GMAs 1, 2, 3 and 4 and Metro Activity Centers.

**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, the proposal is consistent with the purpose statement and is located in the appropriate area.

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>East side of Bethania – Rural Hall Road South of Mizpah Church Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>North</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 0.7 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Site is currently used by the City of Winston-Salem City/County Utilities Commission as a pumping station</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>RS-9 and HB-S</td>
<td>Landscaping Supplier</td>
</tr>
<tr>
<td>S</td>
<td>RS-9</td>
<td>Undeveloped Land</td>
</tr>
<tr>
<td>E</td>
<td>LI</td>
<td>Undeveloped Land</td>
</tr>
<tr>
<td>W</td>
<td>RS-20</td>
<td>Planned Residential Development (PRD)</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</td>
<td>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yes, the proposed use is permitted under the LI-S classification and is compatible with other properties in the vicinity</td>
<td></td>
</tr>
<tr>
<td>Physical Characteristics</td>
<td>The site is already developed and is the location of the Number 65 East Pumping Station</td>
<td></td>
</tr>
<tr>
<td>Proximity to Water and Sewer</td>
<td>The subject property will be served by public water and public sanitary sewer</td>
<td></td>
</tr>
<tr>
<td>Stormwater/Drainage</td>
<td>No known issues</td>
<td></td>
</tr>
<tr>
<td>Analysis of General Site Information</td>
<td>This site appears to be adequate for development allowed in the requested LI-S District</td>
<td></td>
</tr>
</tbody>
</table>

### 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>Bethania Rural hall Road HWY 65</td>
<td>Major</td>
<td>162’</td>
<td>N/A</td>
<td>16,100</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)** Site proposes one access point onto Bethania Rural Hall Road

**Planned Road Improvements** The Thoroughfare Plan recommends Bethania-Rural hall Road to be a three lane major thoroughfare with three lanes, curb and gutter, widened outside lanes, and sidewalks

**Trip Generation - Existing/Proposed**

- **Existing Zoning: RS-9**
  
  \[\frac{.7 \times 43,560}{9,000} = 3\text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 32\]

- **Proposed Zoning LI-S**
  
  \[\frac{.7 \times 43,560}{10,000} = 3\text{ units} \times 6.97 \text{ (LI Trip Rate)} = 10\]

**Sidewalks** No sidewalks are located in the general area

**Transit** Not Available

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA** Growth Management Area 3, Suburban Neighborhoods

**Relevant Legacy Recommendations**

- This area has the most undeveloped land where much of the future residential, commercial and industrial development should occur. This area is appropriate for future urban and suburban development. (p. 30)

**Relevant Area Plan(s)** North Suburban Area Plan

**Area Plan Recommendations**

- The North Suburban Area Plan recommends this site for industrial use.
(S)(3) - Have changing conditions substantially affected the area in the petition?
No.

(S)(4) - Is the requested action in conformance with Legacy?
Yes.

Analysis of Conformity to Plans and Planning Issues

The subject property is located within the North Suburban Area Plan which recommends the area for industrial zoning. Legacy recommends GMA 3 Suburban Neighborhoods as ideal for future residential, commercial and industrial development. The property is directly accessed off Bethania-Rural Hall Road with available sewer and water. The subject property is owned by the City/County Utility Commission and is located on land that will be acquired by the future Beltway Project. However, unlike in most cases, rezoning the subject property to a more intensive use will not increase the acquisition cost of the property. But it may not be a wise expenditure by the City/County Utility Commission. The property is adjacent to LI to the east, RS-9 and HB-S to the north, RS-9 to the south, and RS-20 to the west. The proposed LI-S is compatible with the surrounding zoning districts and the recommendations of Legacy.

### Relevant Zoning Histories

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Staff</td>
</tr>
<tr>
<td>F-811</td>
<td>R-6 to B-3-S (HB-S)</td>
<td>Denied 09-08-86</td>
<td>North</td>
<td>16.71</td>
<td>Denial</td>
</tr>
<tr>
<td>F-932</td>
<td>R-6 &amp; B-3-S to B-3-S (HB-S)</td>
<td>Approval 08-14-89</td>
<td>North</td>
<td>.987</td>
<td>Approval</td>
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<tr>
<td>F-1090</td>
<td>RS-9 to LI</td>
<td>Approval 02-13-95</td>
<td>East</td>
<td>45.12</td>
<td>Approval</td>
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</table>

### Site Plan Compliance with UDO Requirements

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>1,280’</td>
<td>Approximate Middle</td>
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<table>
<thead>
<tr>
<th>Units (by type) and Density</th>
<th>One 150’ Transmission Tower</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N/A</td>
<td>150’</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>90% (27,442’)</td>
<td>13.2% (4,024’)</td>
</tr>
</tbody>
</table>
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 proposed zoning to LI-S District is compatible with the surrounding zoning, Legacy and the North Suburban Area Plan.</td>
<td>Allows for expenditures of money in an area to be acquired by the Beltway.</td>
</tr>
<tr>
<td>The proposed zoning will allow for essential communication between pumping stations.</td>
<td></td>
</tr>
</tbody>
</table>

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 ISSUANCE OF ANY PERMITS:
   a. Obtain a driveway permit form NCDOT

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
   a. All requirements of the driveway permit shall be completed.
   b. Dedicate 35 feet from center line on NC 65 as public right-of-way.
   c. Developer shall contact city DOT regarding conduit access to the tower for the installation of a traffic monitoring television camera.

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: Clarence Lambe 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, Clarence Lambe, Lynne Mitchell, Paul Mullican
AGAINST: None
EXCUSED: None

__________________________
A. Paul Norby, FAICP
Director of Planning