PROPOSED ZONING:
GB-S

EXISTING ZONING:
RS9 and HB

PETITIONER:
Express Oil Change LLC
for property owned by Adrian Adams, Dilma Adams, and Sadie Southern

SCALE: 1" represents 400'

STAFF: King

GMA: 3

ACRES: 1.05

NEAREST
BLDG: 25' east

MAP(S): 618890
July 25, 2007

Express Oil Change, LLC
190 W. Valley Avenue
Birmingham, AL  35209

RE:  ZONING MAP AMENDMENT W-2935

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
Marc L. Isaacson, P. O. Box 1888, Greensboro, NC  27402
ACTIONS REQUEST FORM

DATE: July 25, 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 Express Oil Change LLC for property owned by Adrian M. Adams, Dilma Adams, and Sadie S. Southern

SUMMARY OF INFORMATION:

Zoning Map Amendment of Express Oil Change LLC for property owned by Adrian M. Adams, Dilma Adams, and Sadie S. Southern from RS-9 and HB to GB-S (Arts and Crafts Studio; Food or Drug Store; General Merchandise Store; Nursery Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; Car Wash; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle Repair and Maintenance; Motor Vehicle Body or Paint Shop; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Laboratory; Government Offices; and Post Office): property is located on the north side of Hanes Mill Road, between US 52 and University Parkway (Zoning Docket W-2935).

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 Express Oil Change LLC for property owned by Adrian M. Adams, Dilma Adams, and Sadie S. Southern, Docket W-2935

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 and HB to GB-S (Arts and Crafts Studio; Food or Drug Store; General Merchandise Store; Nursery Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; Car Wash; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle Repair and Maintenance; Motor Vehicle Body or Paint Shop; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Laboratory; Government Offices; and Post Office) the zoning classification of the following described property:

Tax Lots 15B, 16B, 17B, 18B, and 53-63, Tax Block 2042

Section 2. This Ordinance is adopted after approval of the site plan entitled Express Oil Change LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of ________________, 20___ to Express Oil Change LLC for property owned by Adrian M. Adams, Dilma Adams, and Sadie S. Southern.

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 Express Oil Change LLC. 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 Express Oil Change LLC for property owned by Adrian M. Adams, Dilma Adams, and Sadie S. Southern, (Zoning Docket W-2935). 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 GB-S (Arts and Crafts Studio; Food or Drug Store; General Merchandise Store; Nursery Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; Car Wash; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle Repair and Maintenance; Motor Vehicle Body or Paint Shop; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Laboratory; Government Offices; and Post Office), approved by the Winston-Salem City Council the ______ day of _____________________, 20____" and signed, provided the property is developed in accordance with requirements of the GB-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 a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.
  b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. A final plat shall be recorded in the office of the Register of Deeds.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All requirements of the NCDOT driveway permit shall be completed.
b. Developer shall record cross access easements to the adjacent property to the north and west.

c. Developer shall install sidewalks along the property’s frontage on Hanes Mill Road.

**OTHER REQUIREMENTS:**

a. If any lighting is proposed, an engineered lighting plan shall be submitted to Inspections for the proposed lighting demonstrating the use of full-cut off fixtures, light height @ 20’ or less and no more than 0.5 foot-candles at the property line. Lighting shall be installed per approved lighting plan and certified by an engineer.
### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2935</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Aaron King</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Express Oil Change LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Adrian M. Adams, Dilma Adams, and Sadie S. Southern</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lots 15B, 16B, 17B, 18B, and 53-63, Tax Block 2042</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special use rezoning from RS-9 to GB-S for multiple business uses.</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 (Residential Single Family; 9,000 sf lot size) to GB-S (General Business – Special Use Zoning). The petitioner is requesting the following uses: • Arts and Crafts Studio; Food or Drug Store; General Merchandise Store; Nursery Lawn and Garden Supply Store, Retail; Retail Store, Miscellaneous or Specialty; Car Wash; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle Repair and Maintenance; Motor Vehicle Body or Paint Shop; Office, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Laboratory; Government Offices; and Post Office</td>
</tr>
<tr>
<td>Zoning District Purpose Statement</td>
<td>The GB District is primarily intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in Growth Management Areas 1, 2, 3, and activity centers.</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)? Yes, the site is located within GMA 3 and has access to public water and sewer.</td>
</tr>
</tbody>
</table>

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>North side of Hanes Mill Road, between US 52 and University Parkway</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Northeast</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 1.05 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Existing single family homes</td>
</tr>
<tr>
<td>Surrounded Property Zoning and Use</td>
<td>Direction</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>East</td>
</tr>
<tr>
<td></td>
<td>South</td>
</tr>
<tr>
<td></td>
<td>West</td>
</tr>
</tbody>
</table>

**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?

Yes, the site is located in an area that is primarily composed of commercial uses. This request appears to be compatible with surrounding land uses.

**Physical Characteristics**
The site is flat and contains no streams or wetlands.

**Proximity to Water and Sewer**
The subject property has access to public water and public sanitary sewer.

**Stormwater/Drainage**
A stormwater study will be required.

**Watershed and Overlay Districts**
The subject property is not located within a water supply watershed.

**Analysis of General Site Information**
The subject property is 1.05 acres in size and is located on the north side of Hanes Mill Road. The site contains single family homes and associated accessory buildings which would be removed with this request. The topography of the site is flat and poses no development issues.

**Generalized Recommended Conditions**

**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>Hanes Mill Road</td>
<td>Major Thoroughfare</td>
<td>275 feet</td>
<td>NA</td>
<td>30,400</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**
The site plan proposes one access point onto Hanes Mill Road.

**Planned Road Improvements**
The Thoroughfare Plan recommends that this section of Hanes Mill Road be constructed as a five lane cross-section with curb and gutter and sidewalks.

**Trip Generation - Existing/Proposed**

Existing Zoning: RS-9

$\frac{1.05 \times 43,560}{9,000} = 5 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 48 \text{ Trips per Day}$

Proposed Zoning: GB-S

7 bays x 40 (Quick Lubrication Vehicle Shop Trip Rate) = 280 Trips per Day

$\frac{2,200}{1,000} \times 90.06 \text{ (Pharmacy/Drugstore w/o Drive-Through Window}$
### Trip Rate

Trip Rate) = 198 Trips per Day

Total Estimated Trips per Day = 478 Trips per Day

<table>
<thead>
<tr>
<th>Sidewalks</th>
<th>Sidewalks currently do not exist along this portion of Hanes Mill Road, but are recommended by Interdepartmental Staff.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic Impact Study (TIS)</td>
<td>Not required</td>
</tr>
<tr>
<td>Analysis of Site Access and Transportation Information</td>
<td>The site plan proposes an oil change business along with a small retail building located on the western portion of the site. One access point onto Hanes Mill Road is proposed to line up with Raven Road. Staff has recommended that cross access easements be provided to the west and north. These cross access easements are important because the <em>North Suburban Area Plan (NSAP)</em> does recommend commercial development for the surrounding property. Since the entire block was not assembled as one request, cross access is important to provide adequate circulation. Improvements to Hanes Mill Road required with this request include: dedication of right-of-way and installation of sidewalks.</td>
</tr>
</tbody>
</table>
| Generalized Recommended Conditions | **BRIEF DESCRIPTION OF CONDITION(S):**  
- Condition for NCDOT driveway permit  
- Condition to provide cross access to the north and west  
- Condition for sidewalks on Hanes Mill Road |

### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>GMA 3 (Suburban Neighborhoods)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Legacy Recommendations</td>
<td>Revitalize and concentrate development in downtowns and existing commercial centers, maximizing the density in these areas rather than promoting growth at the suburban fringe.</td>
</tr>
<tr>
<td>Relevant Area Plan(s)</td>
<td><em>North Suburban Area Plan (2005)</em></td>
</tr>
<tr>
<td>Area Plan Recommendations</td>
<td>• The <em>North Suburban Area Plan</em> recommends this site for commercial development. This site is part of the North Summit Square Metro Activity Center (MAC).</td>
</tr>
</tbody>
</table>
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S) | (S)(3) - **Have changing conditions substantially affected the area in the petition?**  
Yes  
(S)(4) - **Is the requested action in conformance with Legacy?**  
Yes |
| Analysis of Conformity to Plans and Planning Issues | The subject request is consistent with the recommendations of *Legacy* and the *NSAP*. |
## 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 Staff</th>
<th>Recommendation CCPB</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-2840</td>
<td>HB-S Site Plan Amendment</td>
<td>Approved 3/6/06</td>
<td>East</td>
<td>1.04</td>
<td>Approval</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2693</td>
<td>NB to LB-S</td>
<td>Approved 7/79/04</td>
<td>North</td>
<td>0.41</td>
<td>Denial</td>
<td>Denial</td>
</tr>
<tr>
<td>W-2622</td>
<td>RS-9 to HB</td>
<td>Approved 10/6/03</td>
<td>South</td>
<td>2.89</td>
<td>Approval</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2448</td>
<td>RS-9 &amp; HB to LO</td>
<td>Approved 2/5/01</td>
<td>East</td>
<td>1.3</td>
<td>Denial</td>
<td>Approval</td>
</tr>
<tr>
<td>W-1388</td>
<td>R-6 to B-3</td>
<td>Approved 12/18/86</td>
<td>East</td>
<td>0.46</td>
<td>Denial</td>
<td>Denial</td>
</tr>
</tbody>
</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>
</thead>
<tbody>
<tr>
<td>Parking</td>
<td>5,700 sf.</td>
<td>Approximate middle</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>32 spaces</td>
<td>32 spaces</td>
<td>90° head-in</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>60°/ unlimited</td>
<td>Single story</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>NA</td>
<td>77.91%</td>
</tr>
</tbody>
</table>

**UDO Sections Relevant to Subject Request**
- Section 2-1.3(J) GB District

**Complies with Chapter B, Article VII, Section 7-5.3**
- (A) Legacy policies: Yes
- (B) Environmental Ord. Yes
- (C) Subdivision Regulations NA

**Analysis of Site Plan Compliance with UDO Requirements**
The site plan proposes an express oil change business and an additional 2,200 square feet retail building. The oil change business will have seven bays with minimal parking located to the rear of the building. The retail space has parking located to the east and south of the building. As mentioned above, cross access easements to the north and west have been recommended.

**Generalized Recommended Conditions**
- 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 is consistent with the recommendations of Legacy and the NSAP.</td>
<td>An increase in trip generation can be expected.</td>
</tr>
</tbody>
</table>
The request does locate additional commercial activity in a MAC, where commercial activity is directed.

**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:**
- Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.
- Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
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**OTHER REQUIREMENTS:**
- If any lighting is proposed, an engineered lighting plan shall be submitted to Inspections for the proposed lighting demonstrating the use of full-cut off fixtures, light height @ 20' or less and no more than 0.5 foot-candles at the property line. Lighting shall be installed per approved lighting plan and certified by an engineer.

**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** - June 14, 2007

FOR: None

AGAINST: None

**WORK SESSION**
MOTION: Clarence Lambe moved continuance of the zoning map amendment and site plan to July 12, 2007.
SECOND: Jerry Clark
   FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican
   AGAINST: None
   EXCUSED: None

PUBLIC HEARING - July 12, 2007

FOR: None
AGAINST: None

WORK SESSION

During discussion by the Planning Board, Ms. Eickmeyer asked if "ABC Store" had been deleted from the list of uses. The petitioner's attorney, Marc Isaacson, 101 West Friendly Avenue, Greensboro, NC, indicated they would be happy to delete that use. Ms. Mitchell asked that the developer consider placing bricks or something similar between this use and the shopping area to indicate a pedestrian pathway. Mr. Isaacson said they would look at that. Mr. Isaacson also indicated that the cross-access easement has been accepted.

MOTION: Clarence Lambe moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions and the removal of the use "ABC Store" from the permitted uses for this site.
SECOND: Paul Mullican
VOTE:
   FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith
   AGAINST: None
   EXCUSED: None

A. Paul Norby, FAICP
Director of Planning