DOCKET #: W2747

PROPOSED ZONING:
Site Plan Amendment (Two Phase)

EXISTING ZONING:
NSB-S (Shopping Center)

PETITIONER:
Ivest Associates for property owned by Same

SCALE: 1" represents 400’
STAFF: Roberts
GMA: 3
ACRE(S): 11.27
MAP(S): 606838
January 25, 2005

Ivest Associates
c/o Stanhope Johnson
P. O. Box 9905
Greensboro, NC  27030

RE:   ZONING MAP AMENDMENT W-2747

Dear Mr. Johnson:

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
     Doug Stimmel, 601 N. Trade Street, Winston-Salem, NC  27101
     Harold Stinson, 2550 S. Stratford Road, Winston-Salem, NC  27103
**ACTION REQUEST FORM**

<table>
<thead>
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<th>DATE:</th>
<th>January 25, 2005</th>
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<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
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<tr>
<td>FROM:</td>
<td>A. Paul Norby, AICP, Director of Planning</td>
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**COUNCIL ACTION REQUEST:**

Request for Public Hearing on site plan amendment of Ivest Associates

**SUMMARY OF INFORMATION:**

Site plan amendment of Ivest Associates from NSB-S [Restaurant (without drive-through service); Restaurant (with drive through service); Offices, Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Personal; Building Contractors, General; Building Contractors, Heavy; ABC Stores; 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 - TWO PHASE] to Site Plan Amendment: property is located on the southwest corner of South Stratford Road and Somerset Drive (Zoning Docket W-2747).

**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 granting a Site Plan Amendment for property zoned NSB-S [Restaurant (without drive-through service); Restaurant (with drive-through service); Offices, Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Personal; Building Contractors, General; Building Contractors, Heavy; ABC Stores; 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; and Retail Store, Specialty or Miscellaneous - TWO PHASE - Site Plan Amendment] and described as follows:

Tax Block 3900, Tax Lot 113 and 19B

Section 2. This Ordinance is adopted after approval of the site plan entitled Ivest Associates and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of ________________, to Ivest Associates.

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 Ivest Associates. 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 Ivest Associates, (Zoning Docket W-2747). 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 Site Plan Amendment, approved by the Winston-Salem City Council the _____ day of ________________, 20____" and signed, provided the property is developed in accordance with requirements of the NSB-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. A storm water management study which evaluates the build-out impervious surface for the entire 11.27 acre site, shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department.
  b. Developer shall obtain a driveway permit from NCDOT and WSDOT; additional improvements may be required prior to issuance of driveway permit. Eastern driveway entrance onto Somerset Drive shall not be approved by WSDOT unless adequate sight distance can be demonstrated.

- **PRIOR TO THE SIGNING OF PLATS**
  a. On-site fire hydrant locations shall be approved in writing by the City Fire Department.
  b. All documents including covenants and restrictions shall be recorded in the office of the Register of Deeds, if any.
  c. All required fire hydrants shall be installed or bonded in accordance with the City Fire Department.
d. Developer shall install or financially guarantee all curb and gutter streets and minimum five (5) foot wide sidewalks as shown on the site plan to the specifications of the Winston-Salem Public Works Department and the North Carolina Department of Transportation.

e. Developer shall install or financially guarantee large variety trees as defined in UDO Section 3-4.10, within street yards, bufferyards and motor vehicle parking areas where no conflict occurs with over head utility lines.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

a. Developer shall record a plat in the office of the Register of Deeds.

b. Developer shall establish negative access easements along all of Stratford Road and along Somerset Drive east of Hillcrest Center Circle with the exception of the temporary private drive onto Stratford Road as shown on site plan.

c. Developer shall use the same architectural material on the rear of buildings adjacent to Somerset Drive as on the front of the building.

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

a. All road improvements shall be completed before the issuance of occupancy permits.

b. All Fire Hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.

c. Sidewalks along the frontage of Somerset Drive west of Hillcrest Center Drive and along the west side of Hillcrest Center Drive shall be installed to the specifications of the Public Works Department of the City of Winston-Salem.

d. No on site lighting shall be taller than 20 feet and shall consist of cutoff type fixtures that prevent glare onto adjacent properties.

e. All pedestrian pathways/walkways, pavement markings in the parking lots, or other devices indicating pedestrian walkways as shown on the site plan shall be installed.

f. Developer shall provide a transit stop with bus shelter in accordance with UDO Section 2-1.3 (H) (3) (d) (iv).

g. Developer shall install a type I bufferyard in streetyard area shown on site plan adjacent to Somerset Drive.

**OTHER REQUIREMENTS**

a. All uses and square footages shall match those indicated in the associated Traffic Impact Study. A Site Plan Amendment will be required for any changes not in keeping with those calculations and a new TIS may need to be submitted as part of the Site Plan Amendment process.

b. All outparcels shall only have access from Hillcrest Center Circle.

c. Freestanding signage for the shopping center shall be limited to two signs with a maximum height of 12 feet and a maximum copy area of 54 square feet each. Said signs shall be located at entrances into the shopping center and shall be at least 300 feet apart. Freestanding signage for each outparcel shall be limited to one sign with a maximum height of six (6) feet and a maximum area of 36 square feet.
ZONING STAFF REPORT

DOCKET #  W-2747
STAFF: Gary Roberts

Petitioner(s): Ivest Associates
Ownership: Same

REQUEST

From: NSB-S [(Restaurant(without drive-through service); Restaurant(with drive-through service); Offices, Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Personal; Building Contractors, General; Building Contractors, Heavy; ABC Stores; 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-TWO PHASE]
To: Site Plan Amendment

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

Acreage: 11.27 acres

LOCATION:

Street: Southwest corner of Stratford Road and Somerset Drive.
Jurisdiction: City of Winston-Salem.
Ward: Southwest.

SITE PLAN

Proposed Use: Shopping center with multiple outparcels.
Square Footage: 63,617 sf, includes 10,600 sf future expansion area within first phase.
Building Height: One story.
Parking: Required: 282 spaces, includes future expansion; Proposed: 282 spaces.
Bufferyard Requirements: 15 foot type III bufferyard adjacent to RS-9.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.
PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is undeveloped.
Adjacent Uses:
  Northeast- Mixed use development under construction on the former Hillcrest golf course site, zoned MU-S.
  East- Medium scale industrial operations across Stratford Road zoned GI.
  Southwest- Undeveloped property zoned RS-9.
  West- City of Winston-Salem Fire Station # 2 zoned RS-9.

GENERAL AREA

Character/Maintenance: Mixture of well maintained residential, public safety and industrial uses along a major thoroughfare.
Development Pace: Moderate.

HISTORY

Relevant Zoning Cases:

1. W-2725; RS-9 to HB-S (Motor Vehicle Repair and Maintenance); approved October 4, 2004; west side of Stratford Road south of Somerset Drive; 0.88 acre; Planning Board and staff recommended approval.
2. W-2655; RS-9 to HB-S (Multiple Business Uses); approved January 5, 2004; west side of Stratford Road across from Cloverleaf Drive; 1.53 acres; Planning Board and staff recommended approval.
3. W-2582; RS-9 to MU-S (Multiple Uses); approved February 3, 2003; northwest corner of Stratford Road and Somerset Drive; 161.45 acres; Planning Board and staff recommended approval.
4. W-2575; RS-9 and NSB-S (Multiple business and office uses) to RS-9; approved October 7, 2002; southeast corner of Somerset Drive and Brandywine Road; 2.84 acres; Planning Board and staff recommended approval.
5. F-820; R-6 to B-3-S (TWO PHASE); UDO conversion to NSB-S (TWO PHASE); southwest corner of Stratford Road and Somerset Drive, current site; 11.27± acres; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: The proposed development will remove the existing vegetation, require grading of the property, and place a large amount of impervious surface on the subject property. However, these impacts will not differ greatly from those that can occur under the existing approved plan.
Topography: Gentle to moderate slope upward from the southwest section of the site to the eastern section of the site.
Streams: No streams are located on the subject property.
Vegetation/habitat: The subject property is almost completely covered with mature vegetation.
Environmental Resources Beyond The Site: This site plan amendment does not appear to create additional impacts to environmental resources beyond the site.
Water Supply Watershed: The subject property is not located in a water supply watershed.

**TRANSPORTATION**

Direct Access to Site: Stratford Road; Somerset Drive
Street Classification: Stratford Road – Major Thoroughfare; Somerset Drive – Minor Thoroughfare
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day): Stratford Road between Burke Mill Road and Somerset Drive = 23,000/42,200
Somerset Drive between Stratford Road and Ashford Drive = 2,000/11,100
Trip Generation/Existing Zoning: NBS-S
16,600/1,000 x 40.67 (Specialty Retail Trip Rate) = 675 Trips +
45,454/1,000 x 56.63 (Free Standing Discount Super Store; no trip rate available for Department Store) = 2,574 Trips +
8,470/1,000 x 90.06 (Pharmacy Trip Rate) = 762 Trips +
30,930/1,000 x 111.51 (Supermarket Trip Rate) = 3,449 Trips
“Existing” Total Trips = 7,460
Trip Generation/Proposed Zoning: Site Plan Amendment
20,050/1,000 x 40.67 (Specialty Retail Trip Rate) = 815 Trips +
43,567/1,000 x 111.51 (Supermarket Trip Rate) = 4,858 Trips +
10 Fueling Stations x 542.60 (Convenience Store with Gas Pumps Trip Rate) = 5,426
Trips
“Proposed” Total Trips = 11,099
Planned Road Improvements: None.
Interior Streets: Southern extension of Hillcrest Center Circle to bisect the site and intersect with a future minor thoroughfare.
Traffic Impact Study recommended: Provided.
Sidewalks: Proposed internally as well as along the extension of Hillcrest Center Circle and a portion of Somerset Drive.
Transit: Route 19 along Stratford Road.
Bicycle Route: None.

**CONFORMITY TO PLANS**

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).
Relevant Comprehensive Plan Recommendation(s): *Legacy* recommends that new commercial development be clustered at activity nodes rather than stretched out along transportation corridors. The design of a site should accommodate pedestrians as well as the automobile. Most parking should be to the side or rear of a site where possible and buildings should face the street.

Relevant Development Guide Recommendation(s): The *South Stratford Road Development Guide* recommends the subject property be developed for commercial uses. The subject property is a commercial node established on the western side of South Stratford Road south of the intersection of Somerset Drive. All commercial uses must meet the following recommended design standards:

1. A minimum of 300 feet (300’) between commercial curb cuts;
2. Commercial zoning frontage not to extend longer than one-half (1/2) mile;
3. Require right-of-way dedication sufficient to create a total of 95 feet (95’) of right-of-way for Stratford Road;
4. Type A bufferyard/fence option where commercial development adjoins residential development; and
5. No off-premises signs.

Thoroughfare Plan: Other (including plans of other agencies): The Winston-Salem Urban Area Thoroughfare Plan recommends a realignment of Somerset Drive through the southern portion of the subject property to align with Kimwell Drive. This facility is proposed as a minor thoroughfare.

**ANALYSIS**

The subject request is a Site Plan Amendment for a 11.27 acre parcel located on the southwest corner of Stratford Road and Somerset Drive. The property was originally rezoned to B-3-S (TWO PHASE) in 1986 and was converted to NSB-S (TWO PHASE) under the UDO. The surrounding development pattern is generally characterized by a mixture of well maintained residential, public safety and industrial uses along a major thoroughfare. A large, mixed use development, is currently being constructed on the site of the former Hillcrest golf course, located directly across Somerset Drive north of the subject property.

The previously approved site plan essentially consisted of a conventional 101,500± square foot shopping center with an outparcel as the second phase portion. The center showed one entrance on Stratford Road across from Kimwell Road and two driveway connections onto Somerset Drive. The vested rights associated with said site plan however have expired as more than two years have lapsed since the initial approval.

During the 18 years since the original site plan was approved various code amendments have taken place. One of the more fundamental issues which now impacts the development of this site is the pending realignment of Somerset Drive to match up with Kimwell Drive as shown on the adopted Thoroughfare Plan. The current request would dedicate a 60 foot right-of-way along the southern border of the property in order to accommodate this future minor thoroughfare. Although this configuration would necessitate an adjustment of Kimwell Drive’s existing intersection with Stratford Road, the Winston-Salem Department of Transportation has determined that the current proposal is adequate.
The proposed site plan consists of 63,617± square feet of retail and/or office uses along with two outparcels totaling three acres. From a circulation standpoint, Hillcrest Center Circle will extend from Somerset Drive southward to connect with the previously mentioned future thoroughfare. While three additional driveway connections to Somerset Drive were initially requested, it is anticipated that two of these will be removed on the revised site plan. Similar to the previously approved plan, one entrance onto Stratford Road is planned. This driveway would be removed once the future minor thoroughfare is built. The site plan also illustrates a significant network of sidewalks both within the site and along Somerset Drive. The proposed building placement and associated off-street parking arrangement is also an improvement over the previous plan. Three of the smaller buildings are pulled up close to either Somerset Drive, Hillcrest Center Circle or the future minor thoroughfare with the parking therefore being internalized. While this is generally an advantage from an appearance, place making, and pedestrian orientation standpoint, special attention will need to be taken in order to ensure that the backs and sides of said buildings are respectful of the public streets upon which they line. Particular care should be taken in regard to wall materials and color along with screening of utility and mechanical equipment.

FINDINGS

1. *Legacy* recommends that new commercial development be clustered at activity nodes rather than stretched along transportation corridors. The design of a site should accommodate pedestrians as well as the automobile. Most parking should be to the side or rear of a site where possible and buildings should face the street.

2. The *South Stratford Road Development Guide* recommends the subject property be developed for commercial uses.

3. The subject Site Plan Amendment dedicates the right-of-way for a future minor thoroughfare as shown on the Thoroughfare Plan.

4. The plan includes various elements of pedestrian friendly design including building placement and sidewalk linkages.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

Site Plan: Staff certifies that the site plan meets all code requirements, and recommends the following conditions:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  a. A storm water management study which evaluates the build-out impervious surface for the entire 11.27 acre site, shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department.
b. Developer shall obtain a driveway permit from NCDOT and WSDOT; additional improvements may be required prior to issuance of driveway permit. Eastern driveway entrance onto Somerset Drive shall not be approved by WSDOT unless adequate sight distance can be demonstrated.

• PRIOR TO THE SIGNING OF PLATS
  a. On-site fire hydrant locations shall be approved in writing by the City Fire Department.
  b. All documents including covenants and restrictions shall be recorded in the office of the Register of Deeds, if any.
  c. All required fire hydrants shall be installed or bonded in accordance with the City Fire Department.
  d. Developer shall install or financially guarantee all curb and gutter streets and minimum five (5) foot wide sidewalks as shown on the site plan to the specifications of the Winston-Salem Public Works Department and the North Carolina Department of Transportation.
  e. Developer shall install or financially guarantee large variety trees as defined in UDO Section 3-4.10, within street yards, bufferyards and motor vehicle parking areas where no conflict occurs with over head utility lines.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. Developer shall record a plat in the office of the Register of Deeds.
  b. Developer shall establish negative access easements along all of Stratford Road and along Somerset Drive east of Hillcrest Center Circle with the exception of the temporary private drive onto Stratford Road as shown on site plan.
  c. Developer shall use the same architectural material on the rear of buildings adjacent to Somerset Drive as on the front of the building.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. All road improvements shall be completed before the issuance of occupancy permits.
  b. All Fire Hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.
  c. Sidewalks along the frontage of Somerset Drive west of Hillcrest Center Drive and along the west side of Hillcrest Center Drive shall be installed to the specifications of the Public Works Department of the City of Winston-Salem.
  d. No on site lighting shall be taller than 20 feet and shall consist of cutoff type fixtures that prevent glare onto adjacent properties.
  e. All pedestrian pathways/walkways, pavement markings in the parking lots, or other devices indicating pedestrian walkways as shown on the site plan shall be installed.
  f. Developer shall provide a transit stop with bus shelter in accordance with UDO Section 2-1.3 (H) (3) (d) (iv).
  g. Developer shall install a type I bufferyard in streetyard area shown on site plan adjacent to Somerset Drive.
• OTHER REQUIREMENTS
  a. All uses and square footages shall match those indicated in the associated Traffic Impact Study. A Site Plan Amendment will be required for any changes not in keeping with those calculations and a new TIS may need to be submitted as part of the Site Plan Amendment process.
  b. All outparcels shall only have access from Hillcrest Center Circle.
  c. Freestanding signage for the shopping center shall be limited to two signs with a maximum height of 12 feet and a maximum copy area of 54 square feet each. Said signs shall be located at entrances into the shopping center and shall be at least 300 feet apart. Freestanding signage for each outparcel shall be limited to one sign with a maximum height of six (6) feet and a maximum area of 36 square feet.

PUBLIC HEARING

David Reed read into the record an altered condition per agreement between the petitioner and staff. Item "c" under "Prior to the Issuance of Building Permits" relating to design. Developer shall use the same architectural material on the rear of the buildings adjacent to Somerset Drive as on the front of the buildings. Additionally, developer agrees to provide evergreen screening at the rear of the buildings to screen loading and service areas contiguous to Somerset Drive.

FOR: None
AGAINST: None

WORK SESSION

The Planning Board noted that the new condition does not require buildings in the second phase to be architecturally similar to those in Phase One. However, when the second phase site plan is reviewed as a Final Development Plan, such conditions may be added.

MOTION: Dara Folan moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions as amended above.
SECOND: Clarence Lambe
VOTE:
  FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Norwood, Smith
  AGAINST: None
  EXCUSED: None

A. Paul Norby, AICP
Director of Planning