DOCKET #: W2747A2
(Continued from 9/8/05 CCPB meeting)

PROPOSED ZONING:
Final Development Plan for a Restaurant with Drive-Through

EXISTING ZONING:
NSB-S

PETITIONER:
Granite/Somerset LLC for property owned by Same

SCALE: 1" represents 400'
STAFF: King
GMA: 3
ACRE(S): 0.91
MAP(S): 606838
October 19, 2005

Granite/Somerset LLC
c/o Doug Stimmel
601 N. Trade Street; Suite 200
Winston-Salem, NC 27101-2916

RE: FINAL DEVELOPMENT PLAN W-2747A2

Dear Mr. Stimmel:

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 Members 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
ACTION REQUEST FORM

DATE: October 19, 2005
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Final Development Plan of Granite/Somerset LLC

SUMMARY OF INFORMATION:

Final Development Plan of Granite/Somerset LLC for a Restaurant (with drive-through service) in a NSB-S (Neighborhood Shopping Center Business - TWO PHASE) Zoning District: property is located on the west side of Stratford Road, south of Somerset Drive (Zoning Docket W-2747A2).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS
CITY ORDINANCE - SPECIAL USE

Final Development Plan of Granite/Somerset LLC, Docket W-2747A2

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 NSB-S (Neighborhood Shopping Center Business - TWO PHASE) to Final Development Plan [Restaurant (with drive-through service)] the zoning classification of the following described property:

Tax Block 3900, Tax Lot 115

Section 2. This Ordinance is adopted after approval of the site plan entitled Granite/Somerset LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _______ day of __________________, 20 ___ to Granite/Somerset LLC.

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 Granite/Somerset 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.
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 Final Development Plan of Granite/Somerset LLC, (Zoning Docket W-2747A2). The site shall be developed in accordance with the plan approved by the Council and bearing the inscription: "Attachment A, Special Use District Permit for a Final Development Plan in a NSB-S (Neighborhood Shopping Center Business - TWO PHASE) Zoning District, approved by the City Council of the City of Winston-Salem 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:

**Conditions in bold font reflect new conditions applicable to this request. All other conditions were approved in the first phase of rezoning.**

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

a. Developer shall obtain a driveway permit from NCODT and WSDOT; additional improvements may be required by NCDOT 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.

b. 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.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

a. Developer shall record a plat in the office of the Register of Deeds. Plat shall include 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 the site plan.
b. Developer shall use the same architectural material on the rear of buildings adjacent to Somerset Drive as on the front of the building and approved by Planning Staff.

c. All uses and square footages shall match those indicated in the associated Traffic Impact Study and approved by Planning Staff. 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.

PRIOR TO THE SIGNING OF PLATS:

a. All documents including covenants and restrictions shall be recorded in the office of the register of deeds, if any.

b. All required fire hydrants shall be installed or bonded in accordance with the City Fire Department.

c. Developer shall install or financially guarantee all curb and gutter streets and minimum five (5) foot wide sidewalks as shown on the plan to the specifications of the Winston-Salem Public Works Department and the North Carolina Department of Transportation.

d. 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.

e. The internal access road shall be named Hillcrest Center Circle rather than Somerset Center Drive and shown on Final Plat.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS

a. Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department.

b. Developer shall bond a concrete median, to the specifications of WSDOT, in the amount of $6,500 for a period of two years. This concrete median shall be installed along the temporary access to Stratford Road should circulation issues arise as determined by WSDOT and/or NCDOT, by the developer within thirty days of notice to install.

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

d. 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.

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

f. 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.

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

h. Developer shall install a Type I bufferyard in streetyard area as shown on site plan adjacent to Somerset Drive.

i. Developer shall install the streetyards on Somerset Drive and Stratford Road.

OTHER REQUIREMENTS:

a. All outparcels shall only have access from Hillcrest Center Circle.
a. 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.
### Docket # W-2747A2

#### Staff
Aaron King

#### Petitioner(s)
Granite/Somerset LLC

#### Owner(s)
Same

#### Subject Property
Portion of Tax Lot 115 /Tax Block 3900

#### Type of Request
Final Development Plan for a restaurant with drive-through.

#### Proposal
The petitioner is requesting to amend the Official Zoning Maps for the subject property from **NSB-S** (Neighborhood Shopping Center Business) to **Final Development Plan**. The petitioner is requesting the following uses:
- Restaurant With Drive-Through

#### Zoning District Purpose Statement
The NSB District is intended to provide for the development of integrated, self-contained shopping and service centers designed to meet the daily retail and service needs of residents in the surrounding area. The district is designed to be compatible with adjacent residential areas by limiting uses and access drives, and by providing substantial setbacks and landscape buffers. The district is intended for application on sites with good road access in Growth Management Areas 1 (City/Town Centers), 2 (Urban Neighborhoods), and 3 (Suburban Neighborhoods) and activity centers. Development in Growth Management Area 4 (Future Growth Area) should be considered only where there is a demonstrated need for retail and service uses. The establishment of a neighborhood shopping center district does not establish justification for future commercial zoning in the area.

#### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)
(S)(I) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes, the use requested for Final Development Plan approval is a use that is neighborhood serving, is located within GMA 3 as mentioned in the NSB purpose statement, and has previously been rezoned for an NSB-S TWO PHASE use.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Southwest corner of Somerset Drive and Stratford Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Southwest</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 0.91 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Undeveloped property</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Property Zoning</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>NSB-S</td>
<td>Undeveloped land</td>
<td></td>
</tr>
</tbody>
</table>
Physical Characteristics
The subject property is currently undeveloped and contains a large amount of existing vegetation, composed of mature trees and a mixture of low growth vegetation. The property is relatively flat, sloping gently from east to west. No streams or wetlands are located on the subject property.

Proximity to Water and Sewer
The subject property will be served by public water and public sanitary sewer.

Stormwater/Drainage
A stormwater study was required as part of the first phase of this rezoning.

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

Analysis of General Site Information
The subject property contains relatively gentle topography and contains no streams or wetlands. As part of the first phase of the rezoning, a stormwater study was required for the entire 11.27 acre site.

### 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>Stratford Road</td>
<td>Major Thoroughfare</td>
<td>Eastern</td>
<td>23,000</td>
<td>42,200</td>
</tr>
<tr>
<td>Somerset Drive</td>
<td>Minor Thoroughfare</td>
<td>Northern</td>
<td>2,000</td>
<td>11,100</td>
</tr>
</tbody>
</table>

Proposed Access Point(s)
The proposed site plan labels the interior street serving the shopping center as Somerset Center Drive. This street aligns with Hillcrest Center Circle to the north and serves as a logical continuation of Hillcrest Center Circle. Staff has recommended that Somerset Center Drive be renamed Hillcrest Center Circle. The property will be accessed via Hillcrest Center Circle. This street aligns with the intersection of Somerset Drive and northern Hillcrest Center Circle. The proposed entrance is located approximately 50 feet north of the future right-of-way of the realigned Somerset Drive. The site plan shows a second entrance located on the temporary driveway connection to South Stratford Road. Although this entrance is shown on the proposed site plan, it appears to be in conflict with a condition approved as part of the first phase rezoning that reads:

**OTHER REQUIREMENTS:**
- All outparcels shall only have access from Hillcrest Center Circle.

Planned Road Improvements
The Thoroughfare Plan recommends a realignment of Somerset Drive through the southern portion of the remaining NSB-S zoned property to align with Kimwell Drive. This facility is proposed as a minor thoroughfare.
### Trip Generation - Existing/Proposed

**Proposed Use:** Restaurant with Drive Through  
2,475 / 1,000 x 496.12 (Fast Food Restaurant with Drive Through Trip Rate) = 1,228 Trips per Day

### Sidewalks

The proposed site plan provides only one small strip of sidewalk of located near the southwest portion of the property.

### Transit

Route 19 runs along Stratford Road

### Traffic Impact Study (TIS)

A Traffic Impact Study was submitted with the first phase of the overall development.

### Analysis of Site Access and Transportation Information

The site plan submitted with this request depicts how this property will be accessed until the re-alignment of Somerset Drive has been completed. The temporary driveway will serve the shopping center as a secondary access until Somerset Drive has been re-aligned. Once the re-alignment has been completed, the temporary driveway will be closed and revert back to the adjoining property owners. The cross access easement shown on the site plan would allow for interconnectivity between this site and outparcel #1 to the north. Somerset Drive will eventually be re-aligned with Kimwell Drive along the southern property line of the shopping center property.

One remaining issue associated with this request is the access point shown on the temporary driveway. This entrance is clearly not in accord with the condition approved in the first phase of this rezoning. This item was discussed at the Site Plan Interdepartmental Meeting and it was explained to the petitioner that this access point is not in conformance with the previously approved condition.

### Recommended Conditions

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

- Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department.
- Developer shall bond a concrete median, to the specifications of WSDOT, in the amount of $6,500 for a period of two years. This concrete median shall be installed along the temporary access to Stratford Road should circulation issues arise as determined by WSDOT and/or NCDOT, by the developer within thirty days of notice to install.

**PRIOR TO THE SIGNING OF PLATS:**

- The internal access road shall be named Hillcrest Center Circle rather than Somerset Center Drive.

### 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>W-2747a</td>
<td>NSB-S (Multiple Business Uses) to NSB-S (Multiple)</td>
<td>Approved August 2, 2005</td>
<td>Subject Property</td>
<td>11.27 acres</td>
<td>Approval</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Staff</th>
<th>CCPB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval</td>
<td></td>
<td></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>2,219 sf. / 1,781 sf future building expansion</td>
<td>Approximate middle</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>31 spaces</td>
<td>31 spaces</td>
<td>Spaces are located south and west of the building</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 feet</td>
<td>NA</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>75%</td>
<td>68.7%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Section 2-1.3(H) NSB District</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Legacy policies: Yes</td>
</tr>
<tr>
<td>(B) Environmental Ord. Yes</td>
</tr>
<tr>
<td>(C) Subdivision Regulations Yes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Analysis of Site Plan Compliance with UDO Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>The site plan submitted with this request is in conformance with UDO requirements. However, the issue regarding site access from the temporary driveway will have to be resolved to meet the conditions approved with Phase I of the rezoning.</td>
</tr>
</tbody>
</table>

### REMAINING SITE PLAN ISSUES

<table>
<thead>
<tr>
<th>Issue</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Somerset Drive being renamed Hillcrest Center Circle</td>
<td></td>
</tr>
<tr>
<td>Access from temporary drive being removed</td>
<td></td>
</tr>
<tr>
<td>Clearly label the future addition and future drive through</td>
<td>Awaiting revised site plans</td>
</tr>
<tr>
<td>Shift driveway off Somerset Center Drive to align with shopping center drive aisle</td>
<td></td>
</tr>
<tr>
<td>No parking shall be located within the first 40 feet of access driveway aisle</td>
<td></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>
</table>
**SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

"Conditions in bold font reflect new conditions applicable to this request. All other conditions were approved in the first phase of rezoning."

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STAFF RECOMMENDATION: APPROVAL, provided the site plan is revised as per the Interdepartmental recommendations.

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: Paul Mullican moved continuance of the zoning map amendment to October 13, 2005.
SECOND: Jerry Clark
VOTE:
  FOR: Clark, Curtis, Eickmeyer, Glenn, King, Mullican, Smith
  AGAINST: None
  EXCUSED: None

PUBLIC HEARING - October 13, 2005

FOR: None
AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the Final Development Plan, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Dara Folan
VOTE:
  FOR: Curtis, Clark, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Smith
  AGAINST: None
  EXCUSED: None

_________________________________________
A. Paul Norby, AICP
Director of Planning