DOCKET #: W2767

PROPOSED ZONING:
LO-S (Offices, Miscellaneous; and Professional Office)

EXISTING ZONING:
GO-S

PETITIONER:
Michael W. Gilley,
Trustee, for property owned by Same

SCALE: 1” represents 400’

STAFF: King

GMA: 3

ACRE(S): 1.31

MAP(S): 612874
May 25, 2005

W. Michael Gilley, Trustee
116 Cameron Way Circle
Winston-Salem, NC  27103

RE:    ZONING MAP AMENDMENT W-2767

Dear Mr. Gilley:

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

Request for Public Hearing on Zoning Petition of Michael W. Gilley, Trustee

**SUMMARY OF INFORMATION:**

Zoning map amendment of Michael W. Gilley, Trustee from GO-S (Residential Building, Multifamily; and Nursing Care Institution) to LO-S (Offices, Miscellaneous; and Professional Office): property is located on the northwest corner of Old Town Drive and Briarcliffe Road (Zoning Docket W-2767).

**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 changing from GO-S (Residential Building, Multifamily; and Nursing Care Institution) to LO-S (Offices, Miscellaneous; and Professional Office) the zoning classification of the following described property:

Tax Block 2203, Tax Lot 107Z

Section 2. This Ordinance is adopted after approval of the site plan entitled W. Michael Gilley, Trustee and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20__ to W. Michael Gilley, Trustee.

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 W. Michael Gilley, Trustee. 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 W. Michael Gilley, Trustee, (Zoning Docket W-2767). 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 LO-S (Offices, Miscellaneous; and Professional 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 LO-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. Driveway permit shall be issued by the City of Winston-Salem.
  b. A storm water management study shall be submitted to and approved by the Public Works Department.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. No on site lighting shall be taller than 15 feet and shall consist of cutoff type fixtures that prevent glare onto adjacent properties.
  b. All required fire hydrants shall be installed in accordance with the Winston-Salem Fire Department.

• OTHER REQUIREMENTS
  a. Developer shall install curb and gutter along the entire frontage on Old Town Drive.
  b. Developer shall install sidewalks along the entire frontage of Old Town Drive and Briarcliffe Road.
  c. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet.
ZONING STAFF REPORT

DOCKET # W-2767
STAFF: Aaron King

Petitioner(s): Micheal W. Gilley, Trustee
Ownership: Same

REQUEST

From: GO-S General Office District (Residential Building, Multifamily; and Nursing Care Institution)
To: LO-S Limited Office District (Offices, Miscellaneous; and Professional Office)

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

Acreage: 1.31

LOCATION:

Street: Northwest corner of Old Town Drive and Briarcliffe Road.
Jurisdiction: City of Winston-Salem.
Ward: Northwest.

SITE PLAN

Proposed Use: Professional Office; Offices, Miscellaneous.
Square Footage: 9,400 sf.
Building Height: 40 foot maximum in the LO district.
Parking: Required: 28 spaces; Proposed: 52
Bufferyard Requirements: Type II bufferyard adjacent to RS-9 zoning.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: None noted.
Adjacent Uses:

North- Single family homes, zoned RS-9.
East- Undeveloped land, zoned GO.
South- Parking lot, zoned GO.
Southwest- Wachovia Branch Bank, zoned GO.
West- Independence Village retirement facility, zoned GO.
GENERAL AREA

Character/Maintenance: The subject property serves as a transition between office and commercial uses located to the south and west, and residential uses located to the north.
Development Pace: Moderate

HISTORY

Relevant Zoning Cases:

1. W-2528; RS-9 to LO-S (Professional Office; and Offices Miscellaneous); Approved March 4, 2002; southeast corner of Reynolda Road and Briarcliffe Road; 1.74 acres; Planning Board and staff recommended approval.

2. W-2407; GO to LB; Approved August 7, 2000; north side of Reynolda Road west of Old Town Drive and east of Briarcliffe Road; 0.60 acre; Planning Board and staff recommended approval.

3. W-2395; HB-S to HB-S (Multiple Uses); Approved June 5, 2000; southwest side of Reynolda Road between Old Town Drive and Briarcliffe Road; 0.52 acre; Planning Board and staff recommended approval.

4. W-1757; R-5 and R-1 to R-1-S (Dwellings: Multifamily; and Nursing Home); Approved April 6, 1992; northwest corner of Old Town Drive and Briarcliffe Road; (current site) 1.27 acres; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Existing vegetation would be removed and replaced with two office buildings and associated paved areas.
Topography: The subject property slopes from the middle portion of the property with an elevation of 892 feet to the northern portion of the property with an elevation of 868 feet.
Streams: None noted.
Vegetation/habitat: The subject property consists of a fairly dense mixture of trees and low growth vegetation.
Wetlands: None noted.
Environmental Resources Beyond The Site: The petition site is located approximately 1/4 mile south of Historic Bethabara, a National Historic Landmark and a Forsyth County Natural Heritage site which contains wetlands, hardwood forest, and a variety of unique plants.
Water Supply Watershed: The subject property is not located within a water supply watershed.

TRANSPORTATION

Direct Access to Site: Old Town Drive; Briarcliffe Road.
Street Classification: Old Town Drive – Local Road; Briarcliffe Road – Local Road
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
- On Reynolda Road between Old Town Drive and Briarcliffe Road = 26,000/30,400

Trip Generation/Existing Zoning: Go-S
Since the property is undeveloped no trip generation numbers can be calculated.

Trip Generation/Proposed Zoning: Lo-S
- 9,400/1,000 x 11.01 (General Office Trip Rate) = 103 Trips per Day

Planned Road Improvements/Thoroughfare Plan: The Thoroughfare Plan calls for this portion of Reynolda Road to be a four-lane divided cross section with bicycle and pedestrian facilities.

Sight Distance: Good

Sidewalks: Currently no sidewalks exist on the subject property, however, through the interdepartmental staff meeting sidewalks along both frontages have been requested.

Transit: Route 44 runs along Old Town Drive adjacent to the subject property.

**CONFORMITY TO PLANS**

Growth Management Plan Area (*Legacy*): Suburban Neighborhood (GMA 3)

Relevant Comprehensive Plan Recommendation(s): *Legacy* promotes focused commercial development that is designed for the pedestrian 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 North Suburban Area Plan recommends office for this site. This site is also located within the North Summit Square Metro Activity Center (MAC).

**ANALYSIS**

The subject request is to rezone 1.31 acres of property located at the northwest corner of Old Town Drive and Briarcliffe Road from Go-S to Lo-S (Professional Office; and Offices, Miscellaneous). The general area is a mixture of commercial, office, and residential uses with this site serving as the transitional point along Old Town Drive. The site is currently undeveloped and contains a mixture of trees and vegetation.

On April 6, 1992, the subject property was rezoned from R-1 and R-5 to R-1-S (Dwellings: Multifamily; and Nursing Home). During the UDO conversion process in 1995, this property was reclassified to Go-S. The property is still zoned Go-S, however, the uses that the petitioner is currently requesting were not part of the previously approved rezoning request. Although the use: professional office; and offices, miscellaneous are uses allowed in the Go zoning district, the petitioner has chosen to rezone the property to Lo-S.

This request would allow the construction of two 4,000-5,400 square foot office buildings that would be located in the middle of the property. The site plan shows an adequate network of internal sidewalks. Staff is recommending sidewalks along both road frontages, and also that these public sidewalks connect to the internal sidewalks. The site is served with access via...
Briarcliffe Road, with the majority of the parking located in front of the buildings. As noted above, this property is located within the North Summit Square Metro Activity Center (MAC). In accordance with MAC guidelines, staff has suggested that the buildings be pulled up closer (20’ front setback in the LO district) to the street with parking located in the rear.

This general area is primarily composed of office and commercial uses with a residential component located to the north of this site. Staff acknowledges that the proposed uses would provide an acceptable transition between uses for this section of Old Town Drive. The uses are also consistent with the recommendation stated in the North Suburban Area Plan, therefore staff recommends approval of this request.

**FINDINGS**

1. This request is consistent with the land use recommendation of the North Suburban Area Plan.

2. The proposed uses provide a good transition between adjacent commercial and residential uses.

3. The proposed building mass and zoning district are less intense than what was approved for the site in 1992.

**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. Driveway permit shall be issued by the City of Winston-Salem.
  b. A storm water management study shall be submitted to and approved by the Public Works Department.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  a. No on site lighting shall be taller than 15 feet and shall consist of cutoff type fixtures that prevent glare onto adjacent properties.
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- **OTHER REQUIREMENTS**
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  b. Developer shall install sidewalks along the entire frontage of Old Town Drive and Briarcliffe Road.
  c. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet.
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: Clarence Lambe
VOTE:
   FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Norwood, Smith
   AGAINST: None
   EXCUSED: None

________________________
A. Paul Norby, AICP
Director of Planning