DOCKET #:  W2785
(Continued from 8/11/05 CCPB meeting)

PROPOSED ZONING:  GO

EXISTING ZONING:  RS9

PETITIONER:  The Estate of R. Clyde Shields and Rosa Shields, care of Shirley Denny, Co-Executor for property owned by Same

SCALE:  1” represents 600’

STAFF:  Roberts

GMA:  3

ACRE(S):  9.85

MAP(S):  606846
October 19, 2005

R. Clyde Shields and Rosa Shields
c/o Shirley Denny
1290 Traffic Lane
King, NC  27021

RE:  ZONING MAP AMENDMENT W-2785

Dear Ms. Denny:

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
**ACTION REQUEST FORM**

<table>
<thead>
<tr>
<th>DATE</th>
<th>October 19, 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO</td>
<td>The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM</td>
<td>A. Paul Norby, AICP, Director of Planning</td>
</tr>
</tbody>
</table>

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Map Amendment of Estate of R. Clyde Shields and Rosa Shields, care of Shirley Denny, Co-Executor

**SUMMARY OF INFORMATION:**

Zoning Map Amendment of the Estate of R. Clyde Shields and Rosa Shields, care of Shirley Denny, Co-Executor, from RS-9 to GO: property is located on the north side of Vest Mill Road south of Business 40 and west of Westbrook Plaza Drive (Zoning Docket W-2785).

**PLANNING BOARD ACTION:**

<table>
<thead>
<tr>
<th>MOTION ON PETITION</th>
<th>APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOR</td>
<td>UNANIMOUS</td>
</tr>
<tr>
<td>AGAINST</td>
<td>NONE</td>
</tr>
<tr>
<td>SITE PLAN ACTION</td>
<td>NOT REQUIRED</td>
</tr>
</tbody>
</table>
CITY ORDINANCE - GENERAL USE

Zoning Petition of the Estate of R. Clyde Shields and Rosa Shields, care of Shirley Denny, Co-Executor, Docket W-2785

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 GO the zoning classification of the following described property:

   Tax Block 3901, Tax Lots 18C, 19B, 46M, 46E, and 46D

   Section 2. This ordinance shall become effective upon adoption.
PETITION INFORMATION

Docket # | W-2785
---|---
Staff | Gary Roberts
Petitioner(s) | The Estate of R. Clyde Shields and Rosa Shields, care of Shirley Denny, Co-Executor
Owner(s) | Same
Subject Property | Tax Lots 18C, 19B, 46D, 46E, and 46M Tax Block 3901
Type of Request | General Use Rezoning
Proposal | The subject request was continued from the August 11, 2005 Planning Board meeting to the October 13 meeting. The continuation was in order to research and understand the implications to the subject property of a 1984 Winston-Salem Board of Aldermen Resolution regarding assessments for the extension of Westbrook Plaza Drive.

- The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 Residential Single Family District; 9,000 sf minimum lot size to GO General Office District.

NOTE: Both general and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.

Zoning District Purpose Statement | The GO District is primarily intended to accommodate high intensity office uses and supporting services.
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)?

Although the proposal is a general use request with no accompanying site plan, the subject property is located within an area which is generally suitable for the GO District.

GENERAL SITE INFORMATION

Location | North side of Vest Mill Road south of Business 40 and west of Westbrook Plaza Drive
Jurisdiction | City of Winston -Salem
Ward(s) | Southwest
Site Acreage | Approximately ± 9.85
Current Land Use Surrounding Property Zoning | Undeveloped

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-9</td>
<td>I-40</td>
</tr>
</tbody>
</table>
### and Use

<table>
<thead>
<tr>
<th></th>
<th>East</th>
<th>RS-9</th>
<th>Undeveloped property and single family homes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South</td>
<td>RS-9</td>
<td>Single family homes</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>RS-9</td>
<td>Undeveloped property and single family homes</td>
<td></td>
</tr>
</tbody>
</table>

(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Some of the more intensive uses of the proposed GO District may be incompatible with the single family residential uses of the adjacent RS-9 District.

### Physical Characteristics

Majority of the site is heavily wooded with a moderate slope downward to the north central portion of the site which is traversed by a small stream.

### Proximity to Water and Sewer

Public water and sewer directly adjoin the site.

### Watershed and Overlay Districts

Site is not within the boundaries of a water supply watershed.

### Analysis of General Site Information

Site is generally suitable for development under the proposed GO District.

### 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>Vest Mill Road</td>
<td>Local Street</td>
<td>248'</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Proposed Access Point(s)

General use request with no site plan, Vest Mill Road provides the only public street access to the site.

Planned Road Improvements

None proposed

Trip Generation - Existing/Proposed

9.85 acres x 43,560 / 9,000 = 47 units x 9.57 (SFR Trip Rate) = 449 Trips per Day

No trip generation available for proposed general use request.

Sidewalks

No sidewalks are located in the general area of the subject property.

Transit

Route 43 Westside Connector along Old Vineyard Road.

Traffic Impact Study (TIS)

No TIS required

Analysis of Site Access and Transportation Information

Access to site is adequate.

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**

Suburban Neighborhoods GMA 3
| **Relevant Legacy Recommendations** | \begin{itemize}  
  \item *Legacy* proposes a greater mix of uses in neighborhoods, both for residential development of various types and densities as well as non-residential business, office and institutional uses. The intensity and design of non-residential uses should be in keeping with the character of the neighborhood, especially where this development is internal to the neighborhood.  
\end{itemize} |
<table>
<thead>
<tr>
<th></th>
<th></th>
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<tbody>
<tr>
<td><strong>Relevant Area Plan(s)</strong></td>
<td><em>South Stratford Road Development Guide</em> (1989)</td>
</tr>
<tr>
<td><strong>Area Plan Recommendations</strong></td>
<td>• This site is recommended for light industrial and office uses.</td>
</tr>
<tr>
<td><strong>Other Applicable Plans and Planning Issues</strong></td>
<td>In 1984, the Winston-Salem Board of Aldermen adopted a resolution regarding assessments for the extension of Westbrook Plaza Drive for properties in the Westmill Road/Westbrook Plaza Drive area, which includes the subject site. The resolution stated that assessments were to be collected as a condition of Special Use Zoning requests. Such a condition is not possible under a General Use rezoning request and any such requests for general use zoning must be considered on their own merits as per Section 6-2.1 (S) of the UDO.</td>
</tr>
</tbody>
</table>
| **Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)** | \begin{itemize}  
  \item (S)(3) - Have changing conditions substantially affected the area in the petition? No  
  \item (S)(4) - Is the requested action in conformance with *Legacy*? See comments below  
\end{itemize} |
| **Analysis of Conformity to Plans and Planning Issues** | The subject general use request is consistent with the land use recommendation of the *South Stratford Road Development Guide* and is consistent with the development principles 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>W-2689</td>
<td>GO-S (Multiple Uses) to Site Plan Amendment</td>
<td>Approved May 3, 2004</td>
<td>East</td>
<td>.72</td>
<td>Approval</td>
</tr>
</tbody>
</table>

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

| Positive Aspects of Proposal | Negative Aspects of Proposal |
Request should facilitate development of the site which in turn may provide additional tax base. Request may result in a more intensive development of the site than what is permitted under the current RS-9 zoning. Such development may result in greater vehicular, visual and noise impacts to the surrounding streets and single family residential properties.

**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** - August 11, 2005

FOR: None

AGAINST: None

**WORK SESSION**

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

__________________________
A. Paul Norby, AICP
Director of Planning