DOCKET #: W2787

PROPOSED ZONING:
HB-S - Site Plan Amendment

EXISTING ZONING:
HB-S

PETITIONER:
Wal-Mart Real Estate Business Trust for property owned by Same

SCALE: 1” represents 600’

STAFF: Roberts

GMA: 3

ACRE(S): 20.47

MAP(S): 618890, 624886, 624890
August 24, 2005

Wal-Mart Real Estate Business Trust
c/o Frances Cobecky, Senior Realty Manager
2001 SE 10th Street
Bentonville, AR  72716-0550

RE:  SITE PLAN AMENDMENT W-2787

Dear Ms. Cobecky:

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
     Joe Ferowich, 412 Executive Tower Drive, Knoxville, TN  27923
## ACTION REQUEST FORM

<table>
<thead>
<tr>
<th>DATE:</th>
<th>August 24, 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 Site Plan Amendment of Wal-Mart Real Estate Business Trust for an HB-S (Shopping Center) Site: property is located on the north side of Hanes Mill Road west of Angel Oaks Drive (Zoning Docket W-2787).

### SUMMARY OF INFORMATION:

Site Plan Amendment of Wal-Mart Real Estate Business Trust for an HB-S (Shopping Center) Site: property is located on the north side of Hanes Mill Road west of Angel Oaks Drive (Zoning Docket W-2787).

### 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>CONFORMS</td>
</tr>
</tbody>
</table>
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 HB-S (Shopping Center - Site Plan Amendment) and described as follows:

Tax Block 2047, Tax Lot 303B

Section 2. This Ordinance is adopted after approval of the site plan entitled Wal-Mart Real Estate Business Trust and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20___ to Wal-Mart Real Estate Business Trust.

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 Wal-Mart Real Estate Business Trust. 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 Wal-Mart Real Estate Business Trust, (Zoning Docket W-2787). 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 HB-S (Shopping Center - 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 HB-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 have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  b. Developer shall obtain a letter from the Corps of Engineers regarding "Wetlands" on this property.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
  b. Developer shall submit a Traffic Impact Study to the City Department of Transportation.
  c. Developer shall contact the Winston-Salem Transit Authority (WSTA) concerning the need for a transit stop or shelter on this property or along Hanes Mill Road.
  d. Developer shall dedicate a forty (40) foot greenway easement wherever the property abuts the stream which runs along the northeast side of this property. Said greenway easement may be centered on the sewer easement that may be located along this section of the stream.
e. Developer shall dedicate any public right-of-way or public sidewalk easements needed to construct any road improvements or sidewalks along Hanes Mill Road as determined by the City Department of Transportation from the Traffic Impact Study.

f. The existing unopened right-of-way for Harmony Street located inside this development shall be closed by the Board of Aldermen.

g. Developer shall contact the owners of property on Honeysuckle lane and file a petition with the City Secretary's office for the closure of this public street right-of-way. This closure petition will not be required to be filed if any one of the property owners on this street files a letter protesting the closure with the Planning staff.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. All required storm water management devices must be installed per the approval of the Public Works Department of the City of Winston-Salem.
  b. A typical street yard landscaping area shall be installed around the entire perimeter of all storm water management ponds in this development. This landscape area does not have to meet the ten (10) foot width requirement of the UDO.
  c. All fire hydrants required by the City Fire Department shall be installed.
  d. Developer shall install all the improvements to Hanes Mill Road including traffic signals that are recommended in the Traffic Impact Study to the specifications of the Public Works Department of the City of Winston-Salem and the North Carolina Department of Transportation. Additionally, developer shall either build or arrange to build North Summit Square Boulevard from the existing section in front of the ABC store into the existing section built in front of the North Summit Square Shopping Center to the specifications of the Public Works Department of the City of Winston-Salem and the North Carolina Department of Transportation. This street connection must be completed prior to the issuance of occupancy permits since it is necessary to justify the proposed traffic signal at the intersection of Hanes Mill Road and North Summit Square Blvd.
  e. Developer shall install a sidewalk along the entire frontage of the property on Hanes Mill Road to the specifications of the Public Works Department of the City of Winston-Salem. Additionally, all the internal sidewalks shown on the site plan shall be installed, however, the pedestrian walkway connection to the south end of the existing pond on the eastern property line shall not be installed.
  f. Forty (40) foot type II and type III bufferyards shall be installed around the perimeter of this property as shown on the site plan with the exception of the eastern most property line. The eastern property line abutting Angel Oaks Drive shall have a one hundred (100) foot type III buffer running from Hanes Mill Road north to the south end of the existing pond per "Exhibit A". An eight (8) foot vinyl coated chain link fence shall be installed within the one hundred (100) foot buffer running along the west side of the creek. Existing plant material may be used with new plant material augmented to meet this bufferyard requirement.
g. 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, however, the pedestrian walkway connection to the south end of the existing pond on the eastern property line shall not be installed.

h. Any required transit stop or shelter recommended by WSTA in the shopping center or on Hanes Mill Road shall be installed or completed.

i. As volunteered by the developer, developer agrees to place access and utility easement around the existing pond on the northeast property line. An additional fifty (50) foot easement will be placed on the north side of the expanded edge of the pond.

• OTHER REQUIREMENTS
  a. Two (2) freestanding monument signs shall be permitted for the shopping center (one at each entrance). Said signs shall be limited to monument type signs with a maximum height of fifteen (15) feet.
  b. As volunteered by the developer, all buildings proposed in the development shall have similar design materials. The front facades of all buildings shall be primarily brick with the use of stucco, and split face accents. The treatment for all buildings including the outparcels shall have the same basic design character and color as depicted in the elevation of Wal-Mart in Zoning File Docket W-2338 located in the office of the City-County Planning Board.
  c. Developer shall screen the proposed storage bins in accordance with Section 3-1.1 (H) (3). Such screening shall be in place within 90 days after approval by the City Council.
  d. Developer shall provide additional vegetative screening (Type IV Bufferyard) in area west and north of the proposed storage bins. Such screening shall be in place within 90 days after approval by the City Council.

• OUTPARCEL OR OTHER TWO PHASE LOT REQUIREMENTS
  a. City-County Planning Board shall approve Final Development Plans for all outparcels. Design guidelines shall be submitted for outparcels prior to or when Final Development Plan are submitted. Each outparcel will be evaluated for design guideline compliance when the Final Development Plan are reviewed and approved.
  b. Ten (10) foot streetyards with consistent landscaping plants shall be installed around the perimeter of each outparcel.
  c. All outparcels or lots other than the shopping center shall be limited to one (1) freestanding monument ground sign with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.
  d. Access to all outparcels on the entrance drives to the shopping center shall be located at least 150 feet off Hanes Mill Road. All other internal access points to these outparcel shall also be installed in similar locations as shown on the site plan. Outparcels # 2 and # 3 shall be internally connected with drives.
  e. Developer shall provide left turn lanes in the drive isles which provide access to parcels #1,2,3 and Retail #4 from Hanes Mill Road. Said access locations in the drive isles shall be no closer than two hundred (200) feet from Hanes Mill Road.
**ADDITIONAL CONDITIONS (April 16, 2001)**

a. Developer shall install additional landscape materials consisting of a double row of white pine trees, minimum six (6) feet high, ten (10) feet on center, and ten sycamore trees minimum twelve (12) feet high at the top of the fill slope behind retail stores #3, #4, #5, and #6 and shops located on the east side of the property nearest Angle Oaks Drive with the exception that a single row of white pines of the same size shall be planted at the top of the existing retaining wall behind retail stores #4 and #5 as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.

b. Developer shall install additional landscape materials consisting of a single row of white pine trees, minimum six (6) feet high, ten (10) feet on center at the top of the fill slope behind retail store #3 extending in a northwest direction for a distance of 750 feet terminating at a point due west of the northwestern edge of the detention pond as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.

c. Developer shall terminate existing gravel service drive at the sewer easement behind retail store #3 located in the eastern portion of the site nearest Angel Oaks Drive.

d. Developer shall install landscape seedlings at a rate of one 12" high seedling per 200 square feet of surface area in accordance with planting specifications of section 7-7.3(B) of the UDO for a distance of fifty (50) feet behind the fence line and north and east of the sewer easement as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan. Said seedlings may be planted during a season which is most suited to plant survival provided that all plantings must be installed by December 31, 2001.

e. All cut and fill slopes in excess of three to one (3:1) slope and greater than ten (10) feet in height shall be planted with landscape seedlings at a rate of one 12" high seedling per 200 square feet of surface area in accordance with specifications of section 7-7.3(B) of the UDO.

f. All landscape materials used to satisfy Type III bufferyard plantings adjacent to the east and north property line adjacent to the required 8 foot high, black vinyl coated fence shall be located between said fence and the property line.

g. An eight (8) foot high, black vinyl coated fence shall be installed along the entire eastern and northern side of the property adjacent to the St Andrews Place subdivision as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan. Said fence shall be located forty feet off the adjacent property line except at such locations where it may interfere with existing trees whereby said fence may be installed farther from the property line to protect such trees.

h. Additionally, a six (6) foot high, black vinyl coated fence shall be installed at the top of the fill slope behind retail building #3 and extending eastward and southward to a point forty feet off the northern right-of-way line of Hanes Mill Road as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.
i. No designated (striped) customer or employee parking shall be located behind retail buildings #3, #4, #5, #6, or adjacent shops as indicated on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.
### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2787</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Wal-Mart Real Estate Business Trust</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lots 302, 303B, and 304 Tax Block 2047</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Site Plan Amendment for property zoned HB-S (Shopping Center)</td>
</tr>
<tr>
<td>Proposal</td>
<td>Request is for the addition of 18, 10’ x 40’ storage bins to be located in the northwest corner of the subject property.</td>
</tr>
<tr>
<td>Zoning District Purpose Statement</td>
<td>The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for the establishments which require high visibility and good road access, or which cater primarily to passing motorists. The district is not intended to encourage or accommodate strip commercial development.</td>
</tr>
</tbody>
</table>

(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>North side of Hanes Mill Road west of Angel Oaks Drive</th>
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</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 ± 20.47</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Shopping Center, (Wal-Mart)</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</td>
<td>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</td>
</tr>
<tr>
<td></td>
<td>The proposed storage trailers are located relatively close to adjacent RS-9 zoned property. The request should therefore be evaluated in consideration of the potential impacts onto the adjoining residential properties.</td>
</tr>
</tbody>
</table>

Analysis of General Site Information

The proposed storage bins are located within a portion of the site which is already improved and adjacent to the loading area. However this portion of the site adjoins RS-9 zoned property which is primarily undeveloped. The visual and noise effects from the proposed bins may negatively impact the existing adjacent uses as well as the quality of development which ultimately takes place on the adjacent property.

Recommended Conditions

(SEE CONDITIONS UNDER THE SITE SPECIFIC RECOMMENDED CONDITIONS FOR APPROVAL SECTION)
## 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>50’</td>
<td>6,300</td>
<td>30,100</td>
</tr>
</tbody>
</table>

### Proposed Access Point(s)
Hanes Mill Road

### Planned Road Improvements
None

### Sidewalks
Sidewalks are located along the northern (subject property) side of Hanes Mill Road.

### Transit
Route 44 along Hanes Mill Road

### Traffic Impact Study (TIS)
A TIA was prepared as part of the original 49.92 acre, HB-S shopping center rezoning which was approved in 1999. All required turn lanes, signalization, and other transportation improvements required to support the approved larger development have been installed. No further transportation improvements are needed to accommodate the changes proposes as part of the proposed Site Plan Amendment.

### Analysis of Site Access and Transportation Information
Access to the site is adequate.

### Recommended Conditions
(SEE CONDITIONS UNDER THE SITE SPECIFIC RECOMMENDED CONDITIONS FOR APPROVAL SECTION)

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**
Suburban Neighborhoods (GMA 3)

**Relevant Legacy Recommendations**
*Legacy* encourages the redevelopment and reuse of existing sites and buildings which are visually compatible with the surrounding area.

**Relevant Area Plan(s)**
North Suburban Area Plan (2005)

**Area Plan Recommendations**
The area plan recognizes this site as an existing commercial use and further recommends improving the appearance of commercial developments and concentrating intense commercial development at the North Summit Square Metro Activity Center.

**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?**
  No

- **(S)(4) - Is the requested action in conformance with Legacy?**
  If appearance issues are addressed.

**Analysis of Conformity to Plans and Planning Issues**
In order to better protect the adjacent RS-9 zoned property and comply with the North Suburban Area Plans recommendation for improving the appearance of commercial developments, it is recommended that additional screening be provided between the property line and the proposed storage bins.
### Recommended Conditions

(SEE CONDITIONS UNDER THE SITE SPECIFIC RECOMMENDED CONDITIONS FOR APPROVAL SECTION)

#### 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>
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</thead>
<tbody>
<tr>
<td>W-2733</td>
<td>HB-S to Site Plan Amendment</td>
<td>Approved 12-6-04</td>
<td>Directly east</td>
<td>23.5</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2338</td>
<td>HB-S (Shopping Center) and RS-9</td>
<td>Approved 10-4-99</td>
<td>Included current site</td>
<td>49.92</td>
<td>Denial</td>
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</table>

#### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
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<tbody>
<tr>
<td></td>
<td>204,176 sf existing + 18 10’ x 40’ proposed storage bins</td>
<td>Proposed storage bins are shown in the northeastern portion of the site.</td>
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<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
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<tbody>
<tr>
<td></td>
<td>1,586 spaces</td>
<td>1,625 existing spaces for entire shopping center; This proposal would remove 23 of those spaces.</td>
</tr>
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<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
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<tbody>
<tr>
<td></td>
<td>60’</td>
<td>±15’</td>
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<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
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<tbody>
<tr>
<td></td>
<td>85%</td>
<td>±79%</td>
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<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
<th></th>
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<tbody>
<tr>
<td></td>
<td>• Chapter B, Article II, Section 2-1.3 (I) Highway Business District</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
<th>(A) Legacy policies:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>See previous comments on Legacy</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
<th>(B) Environmental Ord.</th>
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<tbody>
<tr>
<td></td>
<td>Not in a water supply watershed.</td>
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<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
<th>(C) Subdivision Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N/A</td>
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</table>

| Analysis of Site Plan Compliance with UDO Requirements | Current site plan illustrates the storage bins encroaching on existing utility easements. It is anticipated that the forthcoming revised plan will rectify said encroachments. |

<table>
<thead>
<tr>
<th>Recommended Conditions</th>
<th></th>
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<tbody>
<tr>
<td></td>
<td>(SEE CONDITIONS UNDER THE SITE SPECIFIC RECOMMENDED CONDITIONS FOR APPROVAL SECTION)</td>
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</table>

#### REMAINING SITE PLAN ISSUES

<table>
<thead>
<tr>
<th>Issue</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Encroachment onto utility easements</td>
<td>Awaiting revised/corrected site plan</td>
</tr>
<tr>
<td>Additional screening recommended adjacent to RS-9 zoned property</td>
<td>Awaiting amended site plan which provides additional screening</td>
</tr>
</tbody>
</table>

#### GENERALLY APPLICABLE CONDITIONS OF APPROVAL

(SEE CONDITIONS UNDER THE SITE SPECIFIC RECOMMENDED CONDITIONS FOR APPROVAL SECTION)
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

Note: These conditions were approved as part of the original Special Use District zoning (W-2338) and associated staff change approval (April 16, 2001) and shall carry forward as applicable with this Site Plan Amendment. New proposed conditions associated with the subject request, W-2787 are shown in bold.

• PRIOR TO THE ISSUANCE OF GRADING PERMITS
  a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  b. Developer shall obtain a letter from the Corps of Engineers regarding "Wetlands" on this property.

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  c. Developer shall contact the Winston-Salem Transit Authority (WSTA) concerning the need for a transit stop or shelter on this property or along Hanes Mill Road.
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  g. Developer shall contact the owners of property on Honeysuckle lane and file a petition with the City Secretary's office for the closure of this public street right-of-way. This closure petition will not be required to be filed if any one of the property owners on this street files a letter protesting the closure with the Planning staff.
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a. All required storm water management devices must be installed per the approval of the Public Works Department of the City of Winston-Salem.

b. A typical streetyard landscaping area shall be installed around the entire perimeter of all storm water management ponds in this development. This landscape area does not have to meet the ten (10) foot width requirement of the UDO.

c. All fire hydrants required by the City Fire Department shall be installed.

d. Developer shall install all the improvements to Hanes Mill Road including traffic signals that are recommended in the Traffic Impact Study to the specifications of the Public Works Department of the City of Winston-Salem and the North Carolina Department of Transportation. Additionally, developer shall either build or arrange to build North Summit Square Boulevard from the existing section in front of the ABC store into the existing section built in front of the North Summit Square Shopping Center to the specifications of the Public Works Department of the City of Winston-Salem and the North Carolina Department of Transportation. This street connection must be completed prior to the issuance of occupancy permits since it is necessary to justify the proposed traffic signal at the intersection of Hanes Mill Road and North Summit Square Blvd.

e. Developer shall install a sidewalk along the entire frontage of the property on Hanes Mill Road to the specifications of the Public Works Department of the City of Winston-Salem. Additionally, all the internal sidewalks shown on the site plan shall be installed, however, the pedestrian walkway connection to the south end of the existing pond on the eastern property line shall not be installed.

f. Forty (40) foot type II and type III bufferyards shall be installed around the perimeter of this property as shown on the site plan with the exception of the eastern most property line. The eastern property line abutting Angel Oaks Drive shall have a one hundred (100) foot type III buffer running from Hanes Mill Road north to the south end of the existing pond per "Exhibit A". An eight (8) foot vinyl coated chain link fence shall be installed within the one hundred (100) foot buffer running along the west side of the creek. Existing plant material may be used with new plant material augmented to meet this bufferyard requirement.

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i. As volunteered by the developer, developer agrees to place an access and utility easement around the existing pond on the northeast property line. An additional fifty (50) foot easement will be placed on the north side of the expanded edge of the pond.
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  c. **Developer shall screen the proposed storage bins in accordance with Section 3-1.1 (H) (3).** Such screening shall be in place within 90 days after approval by the City Council.
  
  d. **Developer shall provide additional vegetative screening (Type IV Bufferyard) in area west and north of the proposed storage bins.** Such screening shall be in place within 90 days after approval by the City Council.

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  a. City-County Planning Board shall approve Final Development Plans for all outparcels. Design guidelines shall be submitted for outparcels prior to or when Final Development Plan are submitted. Each outparcel will be evaluated for design guideline compliance when the Final Development Plan are reviewed and approved.
  
  b. Ten (10) foot streetyards with consistent landscaping plants shall be installed around the perimeter of each outparcel.
  
  c. All outparcels or lots other than the shopping center shall be limited to one (1) freestanding monument ground sign with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.
  
  d. Access to all outparcels on the entrance drives to the shopping center shall be located at least 150 feet off Hanes Mill Road. All other internal access points to these outparcel shall also be installed in similar locations as shown on the site plan. Outparcels # 2 and # 3 shall be internally connected with drives.
  
  e. Developer shall provide left turn lanes in the drive isles which provide access to parcels #1,2,3 and Retail #4 from Hanes Mill Road. Said access locations in the drive isles shall be no closer than two hundred (200) feet from Hanes Mill Road.
• ADDITIONAL CONDITIONS (April 16, 2001)
  a. Developer shall install additional landscape materials consisting of a double row of white pine trees, minimum six (6) feet high, ten (10) feet o.c. and ten sycamore trees minimum twelve (12) feet high at the top of the fill slope behind retail stores #3, #4, #5, and #6 and shops located on the east side of the property nearest Angle Oaks Drive with the exception that a single row of white pines of the same size shall be planted at the top of the existing retaining wall behind retail stores #4 and #5 as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.
  b. Developer shall install additional landscape materials consisting of a single row of white pine trees, minimum six (6) feet high, ten (10) feet o.c. at the top of the fill slope behind retail store #3 extending in a northwest direction for a distance of 750 feet terminating at a point due west of the northwestern edge of the detention pond as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.
  c. Developer shall terminate existing gravel service drive at the sewer easement behind retail store #3 located in the eastern portion of the site nearest Angel Oaks Drive.
  d. Developer shall install landscape seedlings at a rate of one 12" high seedling per 200 square feet of surface area in accordance with planting specifications of section 7-7.3(B) of the UDO for a distance of fifty (50) feet behind the fence line and north and east of the sewer easement as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan. Said seedlings may be planted during a season which is most suited to plant survival provided that all plantings must be installed by December 31, 2001.
  e. All cut and fill slopes in excess of three to one (3:1) slope and greater than ten (10) feet in height shall be planted with landscape seedlings at a rate of one 12" high seedling per 200 square feet of surface area in accordance with specifications of section 7-7.3(B) of the UDO.
  f. All landscape materials used to satisfy Type III bufferyard plantings adjacent to the east and north property line adjacent to the required 8 foot high, black vinyl coated fence shall be located between said fence and the property line.
  g. An eight (8) foot high, black vinyl coated fence shall be installed along the entire eastern and northern side of the property adjacent to the St Andrews Place subdivision as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan. Said fence shall be located forty feet off the adjacent property line except at such locations where it may interfere with existing trees whereby said fence may be installed farther from the property line to protect such trees.
  h. Additionally, a six (6) foot high, black vinyl coated fence shall be installed at the top of the fill slope behind retail building #3 and extending eastward and southward to a point forty feet off the northern right-of-way line of Hanes Mill Road as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.
  i. No designated (striped) customer or employee parking shall be located behind retail buildings #3, #4, #5, #6, or adjacent shops as indicated on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.
## 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>Request would permit the expansion of an existing business.</td>
<td>The proposed storage trailers are located relatively close to adjacent RS-9 zoned property therefore posing potential negative impacts relating to aesthetics and noise.</td>
</tr>
<tr>
<td></td>
<td>Lack of timeframe (“sunset”) means that these storage units may become permanent means of storage on the site – not temporary. A better permanent solution would be additional building space for storage.</td>
</tr>
</tbody>
</table>

### STAFF RECOMMENDATION: APPROVAL

Provided the developer shall screen the proposed storage bins with structural screening in accordance with Section 3-1.12 (H) (3) and additional vegetative screening (Type IV Bufferyard) in the area west and north of the proposed storage bins.

### 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 approval of the site plan amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Dara Folan

VOTE:
  FOR: Clark, Curtis, Eickmeyer, Folan, King, Mullican, Smith
  AGAINST: None
  EXCUSED: None

________________________
A. Paul Norby, AICP
Director of Planning