PROPOSED ZONING:
HB-S (Outdoor Display Retail)

EXISTING ZONING:
HB-S (Multiple Uses)

PETITIONER:
Victor I. Flow, Jr., for property owned by Same

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRE(S): 4.36

MAP(S): 600842
DOCKET: W2821

PROPOSED ZONING:
HB-S (Outdoor Display Retail)

EXISTING ZONING:
HB-S (Multiple Uses)

PETITIONER:
Victor I. Flow, Jr., for property owned by Same

SCALE: 1" represents 400'
STAFF: Roberts
GMA: 3
ACRE(S): 4.36
MAP(S): 600842
December 16, 2005

Victor I. Flow, Jr.
2775 Oldtown Club Drive
Winston-Salem, NC 27106

RE: ZONING MAP AMENDMENT W-2821

Dear Mr. Flow:

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
Allied Design, Inc., 4720 Kester Mill Road, Winston-Salem, NC 27103
**ACTION REQUEST FORM**

**DATE:** December 16, 2005  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, AICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Map Amendment of Victor I. Flow, Jr.

**SUMMARY OF INFORMATION:**

Zoning Map Amendment of Victor I. Flow, Jr. from HB-S to HB-S (Outdoor Display Retail): property is located on the east side of Jonestown Road north of I-40 (Zoning Docket W-2821).

**PLANNING BOARD ACTION:**

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

Zoning Petition of Victor I. Flow, Jr., Docket W-2821

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 HB-S (Multiple retail and service type uses) to HB-S (Outdoor Display Retail) the zoning classification of the following described property:

Tax Block 3904, Tax Lot 427

Section 2. This Ordinance is adopted after approval of the site plan entitled Victor I. Flow, Jr. and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20____ to Victor I. Flow, Jr..

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 Victor I. Flow, Jr.. 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 Victor I. Flow, Jr. (Zoning Docket W-2821). 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 (Outdoor Display Retail), 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 ISSUANCE OF GRADING PERMITS:**
- Developer shall obtain a driveway permit from WSDOT.
- 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.

**PRIOR TO ISSUANCE OF BUILDING PERMITS:**
- Developer shall dedicate an additional 10’ of right-of-way along Jonestown Road.

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
- Developer shall install all required storm water management devices.
- All new exterior lighting shall have a maximum height of 30’ and utilize full cut-off fixtures and be directed to minimize spill over onto adjacent properties.

**OTHER REQUIREMENTS**
- Signage shall be limited to one (1) monument sign with a maximum height of twelve (12) feet, other than permitted wall signs.
## PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2821</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Victor I. Flow Jr.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 427 /Tax Block 3904</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use District rezoning from HB-S to HB-S</td>
</tr>
</tbody>
</table>

### Proposal

The petitioner is requesting to amend the Official Zoning Maps for the subject property **from** HB-S Highway Business District (Multiple retail and service type uses) **to** HB-S Highway Business District (Outdoor Display Retail).

### Zoning District Purpose Statement

The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. However, the district is not intended to encourage or accommodate strip commercial development. Developments in this district generally have substantial front setbacks. This district is intended for application in Growth Management Areas 2, 3, and 4.

### 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)?

Yes

## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>East side of Jonestown Road north of I-40</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Winston-Salem</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ward(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southwest</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approximately ± 4.36</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Current Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site is undeveloped</td>
</tr>
</tbody>
</table>

### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>HB</td>
<td>Bank and defunct health club</td>
</tr>
<tr>
<td>East</td>
<td>HB-S</td>
<td>Wal-Mart</td>
</tr>
<tr>
<td>South</td>
<td>HB-S</td>
<td>Indoor recreation</td>
</tr>
<tr>
<td>West</td>
<td>IP</td>
<td>Forsyth Friends Meeting</td>
</tr>
</tbody>
</table>
### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)

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

Yes

### Physical Characteristics

Site is undeveloped and is relatively flat having been cleared.

### Proximity to Water and Sewer

Public water and sewer are available to the site.

### Storm water/Drainage

The Inspections Division recommends the developer prepare a storm water management study.

### Watershed and Overlay Districts

The site is not within a water supply watershed.

### Analysis of General Site Information

Site is suitable for the proposed improvements.

### Generalized Recommended Conditions

**BRIEF DESCRIPTION OF CONDITION(S):**

- Developer shall obtain a grading permit.
- Developer shall submit a storm water management study.

### 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>Jonestown Road</td>
<td>Major Thoroughfare</td>
<td>309'</td>
<td>21,900</td>
<td>29,000</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s):** One entrance onto Jonestown Road

**Planned Road Improvements:** The Thoroughfare Plan recommends a four lane, raised median cross section with widened outside lanes and sidewalks for this portion of Jonestown Road.

**Trip Generation - Existing/Proposed**

- **Existing Zoning:** HB-S
  - 44,500/1,000 x 40.67 (Specialty Retail Center Trip Rate) = 1,810 Trips per Day

- **Proposed Zoning:** HB-S
  - 20,592/1,000 x 37.5 (New Car Sales Trip Rate) = 772 Trips per Day

**Sidewalks**

Existing sidewalk along Jonestown Road

**Transit**

Route 43 Westside Connector

**Connectivity**

Site plan illustrates a driveway connection to the north.

**Traffic Impact Study (TIS)**

No TIS required.
### Analysis of Site Access and Transportation Information

Primary access to the site is adequate. However, forthcoming improvements to Jonestown Road include a signal at Romara Drive along with a center median in Jonestown Road. Because this median will preclude left turning movements for traffic exiting the subject property, staff recommends the developer investigate the possibility of cross access with the developed site to the south.

### Generalized Recommended Conditions

**BRIEF DESCRIPTION OF CONDITIONS:**
- Obtain a driveway permit from WSDOT.
- Developer shall dedicate an additional 10’ of right-of-way.
- Provide a sidewalk along the frontage of subject property.

### Conformity to Plans and Planning Issues

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>Suburban Neighborhoods (GMA3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Legacy Recommendations</td>
<td><em>Legacy</em> calls for commercial development to be focused at compact activity nodes.</td>
</tr>
<tr>
<td>Relevant Area Plan(s)</td>
<td>This site is within the <em>South Stratford Road Development Guide</em>, (1985).</td>
</tr>
<tr>
<td>Area Plan Recommendations</td>
<td>The Area Plan recommends commercial uses for this site.</td>
</tr>
</tbody>
</table>

### 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*?
- Yes

### Analysis of Conformity to Plans and Planning Issues

The subject property is consistent with the recommendations of *Legacy* and the *South Stratford Road Development Guide*.

### Generalized Recommended Conditions

**BRIEF DESCRIPTION OF CONDITION(S):**
- 30’ maximum height and full cut-off fixtures for exterior lighting.
- Freestanding signage shall be limited to one sign with a maximum height of 12’.

### 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-1858</td>
<td>R-5 to B-3-S converted to HB-S (Recreation Services, Indoor; Recreation Services, Outdoor; and Theater, Indoor)</td>
<td>Approved 12-20-93</td>
<td>Directly south</td>
<td>4.3</td>
<td>Approval</td>
</tr>
</tbody>
</table>
### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking</td>
</tr>
<tr>
<td>Square Footage</td>
</tr>
<tr>
<td>Placement on Site</td>
</tr>
<tr>
<td>Required</td>
</tr>
<tr>
<td>Proposed</td>
</tr>
<tr>
<td>Layout</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Height</td>
<td>60’</td>
<td>2 stories</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impervious Coverage</td>
<td>85%</td>
<td>85%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter B, Article II, Section 2-1.3 (I) HB District and Section 2-5.55 Use Conditions for Outdoor Display Retail</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. N/A</td>
</tr>
<tr>
<td>(C) Subdivision Regulations N/A</td>
</tr>
</tbody>
</table>

### Analysis of Site Plan Compliance with UDO Requirements

Upon clarifying whether the sidewalk shown on the site plan is existing or proposed and showing the recommended 10’ right-of-way dedication, the site plan will be in compliance with the UDO.

### 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 development of an undeveloped site which is suitable for commercial activity.</td>
<td>Request would generate less than 1/2 the traffic that the current zoning could generate.</td>
</tr>
</tbody>
</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL
PRIOR TO ISSUANCE OF GRADING PERMITS:
   a. Developer shall obtain a driveway permit from WSDOT.
   b. 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.

PRIOR TO ISSUANCE OF BUILDING PERMITS:
   a. Developer shall dedicate an additional 10’ of right-of-way along Jonestown Road.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
   a. Developer shall install all required storm water management devices.
   b. All new exterior lighting shall have a maximum height of 30’ and utilize full cut-off fixtures and be directed to minimize spill over onto adjacent properties.

OTHER REQUIREMENTS:
   a. Signage shall be limited to one (1) monument sign with a maximum height of twelve (12) feet, other than permitted wall signs.

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

FOR:  None

AGAINST:  None
WORK SESSION

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

________________________
A. Paul Norby, AICP
Director of Planning