



DOCKET #: W2671

PROPOSED ZONING:
LI-S (Multiple Uses)

EXISTING ZONING:
HB-S

PETITIONER:
Greenwood and Charles, Inc.

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 2.2

MAP(S): 624838



January 21, 2004

Greenwood and Charles, Inc.
1451 Trade Mart Blvd.
Winston-Salem, NC 27107

RE: ZONING MAP AMENDMENT W-2671

Dear Sirs:

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 City 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
Emmett McCall, 100 N. Cherry Street, Winston-Salem, NC 27101

ACTION REQUEST FORM

DATE: January 21, 2004
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on Zoning Petition of Greenwood and Charles, Inc.

SUMMARY OF INFORMATION:

Zoning map amendment of Greenwood and Charles, Inc. from HB-S to LI-S (Arts and Crafts Studio; Building Materials Supply; Wholesale Trade A; Wholesale Trade B; Banking and Financial Services; Building Contractors, General; Medical and Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Storage Yard; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Warehousing; Government Offices; Police or Fire Station; Post Office; and Postal Processing Facility): property is located on the east side of Peters Creek Parkway south of Brewer Road (Zoning Docket W-2671).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Greenwood and Charles, Inc., Docket W-2671

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 Highway Business [Convenience Store; Food or Drug Store; Motorcycle Dealer; Outdoor Display Retail; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Car Wash; Motor Vehicle, Repair and Maintenance; Non-Store Retailer; Services Business A; Services Business B; Services, Personal; Furniture or Home Furnishings Store; General Merchandise Store; Medical and Surgical Offices; Offices, Miscellaneous; and Professional Office] to LI-S Limited Industrial (Arts and Crafts Studio; Building Materials Supply; Wholesale Trade A; Wholesale Trade B; Banking and Financial Services; Building Contractors, General; Medical and Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Storage Yard; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Warehousing; Government Offices; Police or Fire Station; Post Office; and Postal Processing Facility) the zoning classification of the following described property:

Tax Block 6375 Tax Lot(s) 101F, 3

Section 2. This Ordinance is adopted after approval of the site plan entitled Greenwood and Charles, Inc. and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, to Greenwood and Charles, Inc.

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 Greenwood and Charles, Inc. 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 Greenwood and Charles, Inc., (Zoning Docket W-2671). 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 LI-S Limited Industrial (Arts and Crafts Studio; Building Materials Supply; Wholesale Trade A; Wholesale Trade B; Banking and Financial Services; Building Contractors, General; Medical and Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Storage Yard; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Warehousing; Government Offices; Police or Fire Station; Post Office; and Postal Processing Facility), 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 obtain a driveway permit from the North Carolina Department of Transportation.

- **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 Department.
 - b. Fire apparatus turnaround must be provided in compliance with the 2002 North Carolina State Fire Prevention Code off Beau View Court.
 - c. Planning staff shall approve the proposed building elevations and building materials whereby said materials exclude metal or unpainted concrete block surfaces. The building facade on the north and west sides shall be of split block.

- d. Petitioner shall obtain a Special use Permit from the Winston-Salem City Council in order to cross HB-S property to access the subject LI-S property.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. All required fire hydrants shall be installed in accordance with the City Fire Department.
 - b. Parking lot, streetyard and bufferyard trees shall be of a large variety as defined in UDO Section 3-4.10.
 - c. Developer shall paint the eastern and southern exteriors of the new building with in a recessive, earth tone color such as taupe to be approved by the Planning staff.
 - d. Developer shall install an 8 foot, tan Galveston Style vinyl fence as manufactured by Hoover Fence Company, around the southern and eastern perimeter of the proposed 5,000 square foot outdoor storage area.
 - e. Developer shall install an additional single row of evergreen trees between the required vinyl fence and the required 15 foot type IV bufferyard. Said trees shall be spaced between 7 and 15 feet apart and shall be a minimum of 6 feet in height at the time of installation.
- **OTHER REQUIREMENTS**
 - a. Signage shall be limited to one monument sign with a maximum height of five feet.

ZONING STAFF REPORT

DOCKET # W-2671
STAFF: Gary Roberts

Petitioner(s): Greenwood and Charles, Inc.
Ownership: Same

REQUEST

From: HB-S Highway Business [Convenience Store; Food or Drug Store; Motorcycle Dealer; Outdoor Display Retail; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Car Wash; Motor Vehicle, Repair and Maintenance; Non-Store Retailer; Services Business A; Services Business B; Services, Personal; Furniture or Home Furnishings Store; General Merchandise Store; Medical and Surgical Offices; Offices, Miscellaneous; and Professional Office]

To: LI-S Limited Industrial (Arts and Crafts Studio; Building Materials Supply; Wholesale Trade A; Wholesale Trade B; Banking and Financial Services; Building Contractors, General; Medical and Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Storage Yard; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Warehousing; Government Offices; Police or Fire Station; Post Office; and Postal Processing Facility)

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

Acreage: 2.2 acres

LOCATION:

Street: East side of Peters Creek Parkway south of Brewer Road.
Jurisdiction: City of Winston-Salem.
Ward: South.

SITE PLAN

Proposed Use: Multiple business and industrial uses.
Square Footage: 20,000 square feet.
Building Height: One story.
Parking: Required: 23 spaces; Proposed: 45 spaces.
Bufferyard Requirements: 15 foot type IV bufferyard adjacent to RS-9 and RM-18.

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is undeveloped.

Adjacent Uses:

North- Undeveloped property, the Waffle House and Laundryland zoned HB-S.

East- Large apartment complex zoned RM-18.

Southeast- Single family homes on Finley Circle zoned RS-9.

South- Several businesses along the east side of Peters Creek Parkway zoned HB-S.

Southwest- Undeveloped property zoned RM-18.

West- Parklawn Memorial Gardens cemetery zoned IP.

GENERAL AREA

Character/Maintenance: Mixture of small scale, well maintained commercial operations along Peters Creek Parkway adjoining single and multifamily residential located to the south and east of the site.

Development Pace: Moderate.

HISTORY

Relevant Zoning Cases:

1. W-2316; HB-S (Food or Drug Store; Outdoor Display Retail; and Furniture and Home Furnishings Store –TWO PHASE) to HB-S (Multiple Business Uses); approved June 7, 1999; east side of Peters Creek Parkway south of Brewer Road included current site; 5.37 acres; Planning Board and staff recommended approval.
2. W-2194; RM-18 and, HB-S and HB-S to HB-S (Food or Drug Store; Outdoor Display Retail; and Furniture and Home Furnishings Store- TWO PHASE); approved December 15, 1997; east side of Peters Creek Parkway south of Brewer Road, included current site; 9.69 acres; Planning Board and staff recommended approval.
3. W-1510; R-2, R-5 and B-3-S to B-3-S (Outdoor Display Retail; Implement Sales and Service; Motorcycle Dealer; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Paint and Body Shop; Motor Vehicle, Storage Yard); approved May 2, 1988; east side of Peters Creek Parkway south of Brewer Road, included current site; 9.96 acres; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: The proposed site plan does not significantly impact any of the site's existing physical features.

Topography: Site is substantially flat with the exception of 15-20 foot grade change upward along the southern and eastern edges of the site.

Streams: No streams are on or near the subject property.

Vegetation/habitat: Site has been graded, some mature vegetation remains on the southern and eastern perimeters of the site.

Environmental Resources Beyond The Site: The proposed site plan does not appear to significantly impact environmental resources beyond the subject property.

Water Supply Watershed: The subject property is not located in a water supply watershed.

TRANSPORTATION

Direct Access to Site: Beau View Court; Peters Creek Parkway

Street Classification: Beau View Court – Private Drive; Peters Creek Parkway – Major Thoroughfare

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Peters Creek Parkway between Brewer and Clemmonsville Roads = 24,000 / 46,000

Trip Generation/Existing Zoning: HB-S

No trip generation rate available as land is currently undeveloped.

Trip Generation/Proposed Zoning: LI-S

$20,000 / 1,000 \times 4.96$ (Warehousing Trip Rate) = 99 Trips per Day

Traffic Impact Study recommended: May need a TIS depending upon the intended use of the building other than the Wholesale Trade B use.

Sidewalks: Existing along subject properties frontage of Peters Creek Parkway.

Transit: Route 13 along Peters Creek Parkway.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): One of the economic development policies in *Legacy* is to promote economic development which is compatible with existing residential neighborhoods and other business developments.

Area Plan/Development Guide: The subject property is not within the boundaries of an area plan or development guide.

ANALYSIS

The subject request is to rezone 2.2 acres of undeveloped property from HB-S to LI-S. The site is located on the east side of Peters Creek Parkway south of Brewer Road and north of the Southpark commercial area. Surrounding the site is a mixture of developed and undeveloped HB-S and RM-18 property, a large cemetery and two single family homes.

The site was originally rezoned in 1988 as a portion of a larger 9.96 acre tract. Subsequent rezonings and staff changes have also occurred as the various tracts have been sold and/or developed. The most recently approved site plan depicts a motor vehicle repair and maintenance

facility on the subject property. The site was graded several years ago and is at approximately the same elevation as Peters Creek Parkway. A moderate embankment on the east and southeast sides of the property provides some degree of vertical separation from the adjacent residential uses. An existing tree buffer on both edges also creates visual separation.

The site is not located within the boundaries of an area plan or development guide. *Legacy* recommends promoting economic development which is compatible with existing residential neighborhoods and other business developments. Although both the existing and the proposed list of permitted uses is fairly extensive and intensive, the requested list of permitted uses has been scaled back from the initial petition and does not include the following uses which are allowed under the current zoning: Convenience Store; Outdoor Display Retail; Restaurant (with drive-through service); and Car Wash.

The site plan for the proposed rezoning includes an area of outdoor storage in the southeast corner of the site within 45 feet of the RS-9 property. The petitioner has agreed to additional screening measures for this area as noted in the conditions. It is staff's understanding that this storage area is associated with the primary initial use of the site which falls within the Wholesale Trade B land use category. It should be noted that some of the other requested uses may require substantial site plan amendments and/or may trigger a Traffic Impact Study.

Considering the location of the subject property and its existing intensive commercial zoning, staff sees the subject request as generally compatible with the existing zoning and the surrounding development pattern and recommends approval of the request.

It should be noted that a Special Use Permit request, to cross HB-S zoned land to access the proposed LI-S subject property, is also under review, see W-2672.

FINDINGS

1. *Legacy* recommends promoting economic development which is compatible with existing residential neighborhoods and other business developments.
2. The site does not lie within the boundaries of an area plan or development guide.
3. The LI-S request is generally compatible with the existing HB-S zoning and the surrounding development pattern provided the following additional conditions are incorporated into the petition.

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. Developer shall obtain a driveway permit from the North Carolina Department of Transportation.

- **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 Department.
 - b. Fire apparatus turnaround must be provided in compliance with the 2002 North Carolina State Fire Prevention Code off Beau View Court.
 - c. Planning staff shall approve the proposed building elevations and building materials whereby said materials exclude metal or unpainted concrete block surfaces. The building facade on the north and west sides shall be of split block.
 - d. Petitioner shall obtain a Special use Permit from the Winston-Salem City Council in order to cross HB-S property to access the subject LI-S property.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. All required fire hydrants shall be installed in accordance with the City Fire Department.
 - b. Parking lot, streetyard and bufferyard trees shall be of a large variety as defined in UDO Section 3-4.10.
 - c. Developer shall paint the eastern and southern exteriors of the new building with in a recessive, earth tone color such as taupe to be approved by the Planning staff.
 - d. Developer shall install an 8 foot, tan Galveston Style vinyl fence as manufactured by Hoover Fence Company, around the southern and eastern perimeter of the proposed 5,000 square foot outdoor storage area.
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- **OTHER REQUIREMENTS**
 - a. Signage shall be limited to one monument sign with a maximum height of five feet.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment.

SECOND: Carol Eickmeyer

VOTE:

FOR: Bost, Clark, Eickmeyer, Glenn, King, Lambe, Mullican, Norwood

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Paul Mullican certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Carol Eickmeyer

VOTE:

FOR: Bost, Clark, Eickmeyer, Glenn, King, Lambe, Mullican, Norwood

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning