



DOCKET #: W2664
 (continued from 12/11/03
 CCPB meeting)

PROPOSED ZONING:
 Site Plan Amendment

EXISTING ZONING:
 HB-S

PETITIONER:
 Temporary Resources, Inc.

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRE(S): 6.37

MAP(S): 606862



DRAFT ZONING STAFF REPORT

DOCKET # W-2664
STAFF: Gary Roberts

Petitioner(s): Temporary Resources, Inc.
Ownership: Same

REQUEST

From: HB-S [Shopping Center; Restaurant (with drive-through service); Restaurant (without drive-through service); Services Personal; Retail Store, Specialty or Miscellaneous; General Merchandise Store; ABC Store; Arts & Crafts Studio; Building Materials Supply; Convenience Store; Food or Drug Store; Furniture And Home Furnishings Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Banking and Financial Services; Medical or Dental Laboratory; Medical and Surgical Offices; Offices Miscellaneous; Professional Office; Services, Business A; Services Business B; Adult Day Care Center; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Child Day Care, Small Home; Child Day Care, Large Home; Child Day Care Center; Library, Public; Veterinary Services; Building Contractors, General]
To: Site Plan Amendment

Acreage: 6.37 acres

CONTINUANCE HISTORY

The petition was continued from the December 11, 2003 Planning Board meeting to the January 8, 2004 Planning Board meeting in order for the petitioner to have additional meetings with the neighborhood.

LOCATION:

Street: Southwest side of Robinhood Road between Polo Road and Peace Haven Road.
Jurisdiction: City of Winston-Salem.
Ward: West.

SITE PLAN

Proposed Use: Restaurant with drive-through in addition to other previously approved uses.
Square Footage: 3,426 square feet (Wendy’s restaurant).
Building Height: One story.
Parking: Required: 300 spaces; Proposed: 323 spaces, (for entire HB-S site).
Bufferyard Requirements: 40’ type III adjacent to RS-9.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Unoccupied ±54,870 sf commercial building along with two smaller outparcel buildings.

Adjacent Uses:

- North - Smaller scale commercial establishments zoned HB.
- East - Commercial shopping center zoned HB.
- South - Single family residences zoned RS-9.
- Southwest - Jefferson Traditional School zoned IP.
- Northwest - HB-S zoned property under construction.

GENERAL AREA

Character/Maintenance: Mixture of well maintained residential, institutional and business uses along a major thoroughfare.

Development Pace: Moderate.

TRANSPORTATION

Direct Access to Site: Robinhood Road.

Street Classification: Robinhood Road - Major Thoroughfare.

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

Robinhood Road between Polo Road and Peace Haven Road = 20,000/23,900

Trip Generation/Proposed Zoning: Site Plan Amendment

3,426 sq. ft./1,000 x 496.12 (Fast food restaurant w/drive thru Trip Rate) = 1,699 Trips per Day

Note: Trip generation is for Wendy's only and does not include traffic impacts of other existing development on site.

Connectivity of street network: Existing private access easements to adjacent properties to remain in place.

Sidewalks: South side of Robinhood Road along subject property.

Transit: Route 21 along Robinhood Road.

Bicycle Route: None.

ANALYSIS

The subject Site Plan Amendment request is for a 6.37 acre HB-S site located on the southwest side of Robinhood Road between Polo Road and Peace Haven Road. The property was rezoned in 1994 as a shopping center with outparcels (W-1908). The primary structure, while presently unoccupied, was most recently a Kroger's Grocery Store and a discount department store (Shoppers Paradise).

The surrounding area is generally characterized by strip commercial development along Robinhood Road zoned HB and HB-S. Single family homes and the Jefferson Traditional School (public), respectively zoned RS-9 and IP, adjoin the southern and southwestern sides of the subject property.

The site plan illustrates the addition of a 3,426 square foot restaurant with drive through service to be located within what is now a portion of the parking lot. Because the currently approved site plan exceeds the parking requirements for shopping centers (1 space per 225 feet of building square footage), only minor site plan adjustments were required to compensate for the loss of parking associated with said restaurant addition. The request also incorporates the use of bicycle, motorcycle and compact spaces along with reductions permitted due to access to sidewalks and public transit. The petitioners initial preference was to provide an additional 31 parking spaces to the rear of the former grocery store. However, because this did not comply with the conditions of the original approval, staff recommended denial. The request was continued from the December 11, 2003 Planning Board meeting to the January 8, 2004 meeting. After further discussions with the adjacent homeowners, the site plan was revised and the spaces proposed at the rear of the building were removed. The revised site plan is clearly more consistent with the original approval and reflects a greater sensitivity to the abutting RS-9 properties.

Staff welcomes the addition of a new building in what is now an underused parking lot and applauds the petitioners desire to meet with the surrounding residential property owners to achieve a mutually agreeable solution. Staff therefore recommends approval of the revised Site Plan Amendment.

FINDINGS

1. The proposed HB-S Site Plan Amendment is for a 3,426 square foot Restaurant (with drive-through services) in the parking lot of a currently unoccupied, small shopping center.
2. The existing number of off street parking spaces exceeds ordinance requirements therefore requiring minimal site plan alterations to accommodate said restaurant addition.
3. The proposed Site Plan Amendment complies with the site plan conditions of the original rezoning.

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. No grading shall take place on the southern and eastern sides of the principal building. Erosion control and sedimentation permits are required from the Inspections Division.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
 - a. Driveway permit shall be issued by the North Carolina Department of Transportation.
 - b. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Department.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. The rear of the grocery store building shall only be used for maintenance purposes. All lighting at the rear of the building shall be oriented toward the building and not toward the residential area to the south of the site. All loading and unloading areas for the grocery store shall be located on the side of the building. The trash compactor located at the southwest side of the grocery store shall be enclosed on the south and west sides by at least an eight-foot high masonry wall to abate noise to the adjoining neighborhood.
 - b. All refrigeration units normally used in a grocery store shall be located in self contained units located inside the structure.

- **OTHER REQUIREMENTS**
 - a. One monument sign with a maximum height of five (5) feet shall be allowed for the new Wendy's outparcel.
 - b. All other relevant site plan conditions approved as part of the original Special Use District Zoning (Zoning Docket W-1908) shall apply.

PUBLIC HEARING - December 11, 2003

FOR: None

AGAINST: None

WORK SESSION

MOTION: Dara Folan moved continuance of the site plan amendment to January 8, 2004.

SECOND: Jimmy Norwood

VOTE:

FOR: Bost, Clark, Eickmeyer, Folan, King, Mullican, Norwood

AGAINST: None

EXCUSED: None

PUBLIC HEARING - January 8, 2004

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved withdrawal of the zoning map amendment and site plan.

SECOND: Jimmy Norwood

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning