



**DOCKET #:** W2596

**PROPOSED ZONING:**  
 HB-S (Building Contractor,  
 General)

**EXISTING ZONING:**  
 LB

**PETITIONER:**  
 Leonard Oil Co.

**SCALE:** 1" represents 200'

**STAFF:** Gallaway

**GMA:** 3

**ACRE(S):** 0.51

**MAP(S):** 624890



January 22, 2003

Leonard Oil Co., Inc.  
2037 Vargrave Street  
Winston-Salem, NC 27127

RE: ZONING MAP AMENDMENT W-2596

Dear Sirs:

The attached report of the Planning Board to the Board of Aldermen is sent to you at the request of the Aldermen. You will be notified by the City Secretary's Office of the date on which the Aldermen 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  
Mr. Doug Franklin, Franklin Surveyors, Inc., 110 N. Poplar Street, Winston-Salem, NC  
27101  
Danny Carter, 4605 Kelsey Drive, Walkertown, NC 27051

**ACTION REQUEST FORM**

**DATE:** January 22, 2003  
**TO:** The Honorable Mayor and Board of Aldermen  
**FROM:** A. Paul Norby, AICP, Director of Planning

**BOARD ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of Leonard Oil Company, Inc.

**SUMMARY OF INFORMATION:**

Zoning map amendment of Leonard Oil Company, Inc. from LB to HB-S (Building Contractor, General): property is located on the west side of NC 8 south of NC 66 (Zoning Docket W-2596).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Leonard Oil Co., Inc., Docket  
W-2596

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 Board of Aldermen 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 LB to HB-S (Building Contractor, General) the zoning classification of the following described property:

Tax Block 4979, Tax Lots 2B and 3

Section 2. This Ordinance is adopted after approval of the site plan entitled Leonard Oil Co., Inc. and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to Leonard Oil Co., Inc.

Section 3. The Board of Aldermen 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 Leonard Oil Co., 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 Board of Aldermen  
of the City of Winston-Salem

The Board of Aldermen 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 Leonard Oil Co., Inc., (Zoning Docket W-2596). 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 (Building Contractor, General), approved by the Winston-Salem Board of Aldermen 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. Driveway permit shall be issued by the North Carolina Department of Transportation
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Streetyard landscaping shall be installed along the entire frontage of any parking spaces located at the front of the building.
- **OTHER REQUIREMENTS**
  - a. One free standing ground sign shall be permitted on NC 8. Said sign shall be limited to a monument type with a maximum height of five (5) feet

## ZONING STAFF REPORT

**DOCKET #** W-2596  
**STAFF:** Suzy Gallaway

Petitioner(s): Leonard Oil Co.  
Ownership: Same

### **REQUEST**

From: LB Limited Business District  
To: HB-S Highway Business District (Building Contractor, General)

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

Acreage: 0.51 acre

### **LOCATION**

Street: West side of NC 8 south of NC 66.  
Jurisdiction: City of Winston-Salem.  
Ward: Northeast.

### **SITE PLAN**

Proposed Use: Building Contractor, General.  
Square Footage: 4,800 sf.  
Building Height: Single story.  
Parking: Required: 6 spaces; proposed: 7 spaces.  
Bufferyard Requirements: 15 foot type III along RS-9 zoning.  
Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Site is currently undeveloped.

Adjacent Uses:

North -	Hess Convenience Store, zoned HB.
East -	Bethany Baptist Church, zoned RS-9 and single family homes, zoned RS-9.
South -	Single family homes, zoned RS-9.
West -	Used car sales, zoned HB-S; further west single family homes, zoned RS-9.

### **GENERAL AREA**

Character/Maintenance: Mixture of well-maintained single family homes and commercial uses.  
Development Pace: Slow.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Site to be graded, according to site plan; existing trees to be removed.

Topography: There is an approximate change in elevation on the subject property of 5' (from an approximate elevation of 912' in the north down to an approximate elevation of 907' in the southwest).

Vegetation/habitat: The subject property is mostly vegetated.

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

## **TRANSPORTATION**

Direct Access to Site: Germanton Road/NC 8; Old Hollow Road/NC 66.

Street Classification: Germanton Road - major thoroughfare; Old Hollow Road - major thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):  
Germanton Road between Old Hollow Road and Hanes Mill Road = 13,000/16,100  
Old Hollow Road between Germanton Road and Old Rural Hall Road = 9,900/16,100  
Trip Generation/Existing Zoning: LB (No trip generation rate available as there is no existing building, i.e. no square footage available to perform calculations with.)  
Trip Generation/Proposed Zoning: HB-S (4,800/1,000 x 11.57 Single Tenant Office Building Trip Rate = 55 Trips per Day)

## **HISTORY**

Relevant Zoning Cases:

1. W-2589; LB to HB-S (Outdoor Display Retail); approved December 12, 2002; south side of NC 66 west of NC 8; Planning Board and staff recommended approval.
2. W-2228; RM-12, RS-9, and RS-30 to NSB-S (Shopping Center); denied July 20, 1998; northeast corner of NC 8 and NC 66; 3.47 acres; Planning Board and staff recommended approval.
3. F-394; R-6 to B-S; approved May 19, 1975; southwest corner of NC 66 and NC 8; 2.59 acres; Planning Board recommended approval, staff recommended denial.
4. F-381; R-5 and R-6 to B-3; approved May 19, 1975; northwest side of NC 8 southwest of NC 66 (current site); 0.5 acre; Planning Board and staff recommended denial.

## **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): *Legacy* recommends focusing commercial development at activity nodes rather than letting it strip out along highway corridors

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

## **ANALYSIS**

The current request is for a 4,800 square foot office building for use as Building Contractor, General. The property is currently zoned LB, general use. LB allows for many commercial uses, some rather intensive such as Food or Drug Store, Convenience Store, Motorcycle Dealer, and others. The LB zoning district does not allow for the requested use.

The HB zoning district is often considered by staff as a more intensive district than LB. However, the LB district allows 52 uses. This special use request is limited to only the Building Contractor, General use. The request utilizes a fairly small brick and metal building fronting NC 8, with parking to the side and rear of the building. The current request has a potentially less intensive impact on the adjacent residential uses than many uses allowed under the current LB zoning. The Building Contractor, General use requires that all materials be stored indoors, thus not having an adverse visual effect on neighboring properties.

*Legacy* recommends commercial development occur at nodes. The subject corner of NC 8 and NC 66 has been a small node of commercial development and zoning for over 25 years. As this use is more office in its nature than retail commercial, staff feels this would be a good transitional use from the convenience store on the corner to the residential uses on the south and recommends approval.

## **FINDINGS**

1. The current request is for a 4,800 square foot office building for use as HB-S (Building Contractor, General).
2. The existing LB zoning district allows 52 uses.
3. The current request has a potentially less intensive impact on the adjacent residential than development under the current LB zoning.
4. The subject proposal would make a good transitional use from the convenience store on the corner to the residential uses on the south.

## **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. Driveway permit shall be issued by the North Carolina Department of Transportation.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Streetyard landscaping shall be installed along the entire frontage of any parking spaces located at the front of the building.



- **OTHER REQUIREMENTS**

- a. One free standing ground sign shall be permitted on NC 8. Said sign shall be limited to a monument type with a maximum height of five (5) feet.

**PUBLIC HEARING**

FOR: NONE

AGAINST: NONE

**WORK SESSION**

MOTION: Philip Doyle moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Arnold King

VOTE:

FOR: Avant, Bost, Clark, Doyle, Folan, Glenn, King, Norwood, Powell

AGAINST: None

EXCUSED: None

---

A. Paul Norby, AICP  
Director of Planning