



DOCKET #: W2608

PROPOSED ZONING:
LO-S (Professional Office
and Offices, Miscellaneous)

EXISTING ZONING:
RS-9 and LO-S

PETITIONER:
Rhino Real Estate, LLC for
property owned by Rhino
Real Estate, LLC, and Ruby
Bumgardner

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 1.64

MAP(S): 600850



March 19, 2003

Rhino Real Estate, LLC
P. O. Box 26134
Winston-Salem, NC 27104

RE: ZONING MAP AMENDMENT W-2608

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 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
Ruby F. Bumgardner, 125 Queensbury Road, Winston-Salem, NC 27104
Ronald A. Matamoros, 110 S. Stratford Road, Winston-Salem, NC 27104

ACTION REQUEST FORM

DATE: March 19, 2003
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 Rhino Real Estate, LLC for property owned by Rhino Real Estate, LLC and Ruby F. Bumgardner

SUMMARY OF INFORMATION:

Zoning map amendment of Rhino Real Estate, LLC for property owned by Rhino Real Estate, LLC and Ruby F. Bumgardner from RS-9 and LO-S (Banking and Financial Services; Offices, Miscellaneous; and Professional Office) to LO-S (Offices, Miscellaneous and Professional Office): property is located north of Country Club Road at the northern terminus of Cambridge Plaza Drive (private) (Zoning Docket W-2608).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Rhino Real Estate, LLC for property owned by Rhino Real Estate, LLC and Ruby F. Bumgardner, Docket W-2608

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 RS-9 and LO-S (Banking and Financial Services; Offices, Miscellaneous; and Professional Office) to LO-S (Offices, Miscellaneous; and Professional Office) the zoning classification of the following described property:

Tax Block 3914, Tax Lot 102B
Tax Block 6166, Tax Lot 4

Section 2. This Ordinance is adopted after approval of the site plan entitled Rhino Real Estate, LLC for property owned by Rhino Real Estate, LLC and Ruby F. Bumgardner and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, to Rhino Real Estate, LLC for property owned by Rhino Real Estate, LLC and Ruby F. Bumgardner.

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 Rhino Real Estate, LLC for property owned by Rhino Real Estate, LLC and Ruby F. Bumgardner. 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 Rhino Real Estate, LLC for property owned by Rhino Real Estate, LLC and Ruby F. Bumgardner, (Zoning Docket W-2608). 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 LO-S (Offices, Miscellaneous; and Professional Office), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the LO-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.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Landscape easement to be obtained from Crowne Club Apartments for encroachment area shown on site plan.
- **OTHER REQUIREMENTS**
 - a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet.

ZONING STAFF REPORT

DOCKET #: W-2608

STAFF: Gary Roberts

Petitioner(s): Rhino Real Estate

Ownership: Rhino Real Estate and Ruby Bumgardner

REQUEST

From: RS-9 and LO-S (Banking and Financial Services; Offices, Miscellaneous; and Professional Office)

To: LO-S Limited Office (Offices, Miscellaneous; and Professional Office)

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

Acreage: 1.64 acres

LOCATION:

Street: North of Country Club Road at northern terminus of Cambridge Plaza Drive (private).

Jurisdiction: City of Winston-Salem.

Ward: West.

SITE PLAN

Proposed Use: Offices.

Square Footage: New building: 12,000 square feet; Existing building: 9,000 square feet.

Building Height: Two story.

Parking: Required: 40 spaces; proposed: 40 spaces.

Bufferyard Requirements: 10 foot type I and 15 foot type II adjacent to RM-8-S and RS-9.

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Two story 9,000 square foot office building and a small accessory building.

Adjacent Uses:

North - Single family homes zoned RS-9.

East - Crowne Club apartment complex zoned RM8-S.

South - Multiple office buildings zoned LO-S;

West - Single family homes zoned RS-9.

GENERAL AREA

Character/Maintenance: Well maintained small to moderate sized office buildings along with single and multifamily residential development.

Development Pace: Moderate to rapid.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Removal of small accessory building and substantial grading to accommodate proposed improvements shown on site plan.

Topography: Gentle to moderate slope downward from the southwest to the northeast.

Vegetation/habitat: Minimal vegetation remaining on the subject property.

Environmental Resources beyond the Site: There are no direct impacts to environmental resources beyond the site of the subject property.

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

TRANSPORTATION

Direct Access to Site: Cambridge Plaza Drive.

Street Classification: Cambridge Plaza Drive – Private Road.

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

Country Club Road between Peace Haven Road and Jonestown Road = 19,000 / 18,000.

Jonestown Road between Country Club Road and US 421 = 18,000 / 23,900.

Trip Generation/Existing Zoning:

RS-9: $0.99 \times 43,560/9,000 = 4 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 38 \text{ Trips}$

LO-S: $9,000/1,000 \times 11.01 \text{ (General Office Trip Rate)} = 99 \text{ Trips}$

Total Trips per Day = 137

Trip Generation/Proposed Zoning: LO-S

$12,000/1,000 \times 11.01 \text{ (General Office Trip Rate)} = 132 \text{ Trips per Day}$ (this is just the calculation for the new building; total trip generation for existing building and new building combined = 231)

Planned Road Improvements: Country Club Road between Peace Haven Road and Jonestown to be widened from 3 lanes to 4 lanes, construction scheduled to begin in 2005.

Traffic Impact Study recommended: No TIS is recommended or required.

Connectivity of street network: No opportunities for interconnectivity due to established development pattern on adjacent properties.

Sidewalks: None.

Transit: Route 12 along Country Club; Route 43 (Westside Connector) along Jonestown/Country Club/Old Vineyard.

Bicycle Route: None.

HISTORY

Relevant Zoning Cases:

1. W-1139; LO-S to Site Plan Amendment; approved June 4, 1984; north side of Country Club Road across from Jonestown Road, included portion of current site; 4.10 acres; Planning Board and staff recommended approval.
2. W-953; R-4 and R-5 to RM-8-S (Residential Building, Multifamily); approved July 6, 1982; north of Country Club Road, opposite intersection of Country Club Road and Jonestown Road, directly east of current site; 33.33 acres; Planning Board and staff recommended approval.
3. W-952; R-4 and R-5 to LO-S (Professional Office, Offices, Miscellaneous and Banking and Financial Services); approved July 6, 1982; north side of Country Club Road across from Jonestown Road, included portion of current site; 4.30 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): *Legacy* promotes mixed uses, connectivity within and between neighborhoods and a variety of housing types and prices.

Area Plan/Development Guide: *Country Club/Jonestown Area Plan* (1985).

Relevant Development Guide Recommendation(s): The *Country Club/Jonestown Area Plan* recommends that the subject property be developed as an office use. The subject property can only be accessed via the existing private street network of the office development.

ANALYSIS

The subject request is to rezone 1.64 acres from RS-9 and LO-S to LO-S. The site is located at the northern terminus of Cambridge Plaza Drive (private), north of Country Club Road at its intersection with Jonestown Road.

The southern portion of the site is zoned LO-S and presently includes a two story 9,000 square foot office building. The northern portion of the site is partially wooded and undeveloped with the exception of a small storage/accessory building. The property is surrounded on three sides by residential uses with the Crowne Club apartment complex, zoned RM-8-S, located to the east and the single family residences of Queensbury Road and McGuire Avenue being located to the north and west. Office development, comparable in scale to the subject request, is located to the south. The proposed two story 12,000 square foot building would also be accessed through said existing development via Cambridge Plaza Drive.

The *Country Club/Jonestown Area Plan* recommends that the subject property be developed for office use. The surrounding development pattern and access point further affirm that office use on the subject property is a logical and compatible extension of the existing office development located directly to the south.

FINDINGS

1. *Legacy* promotes a mixture of uses in the Suburban Neighborhoods Growth Management Area.
2. The *Country Club/Jonestown Area Plan* recommends that the subject property be developed as an office use.
3. Sole access to the subject property is through an existing office development.

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 have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Landscape easement to be obtained from Crowne Club Apartments for encroachment area shown on site plan.
- **OTHER REQUIREMENTS**
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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: John Bost

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning