



DOCKET #: W2590

PROPOSED ZONING:
HB-S (Food or Drug Store)

EXISTING ZONING:
HB and HB-S

PETITIONER:
Winella L. Duncan and
Fast Fare, Inc.

SCALE: 1" represents 200'

STAFF: Hall

GMA: 3

ACRE(S): 1.61

MAP(S): 606862



November 20, 2002

Winella L. Duncan
672 Log House Road
Winston-Salem, NC 27127

RE: ZONING MAP AMENDMENT W-2590

Dear Ms. Duncan:

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
Fast Fare, Inc., 310 Old Scarborough Lane, Garner, NC 27529
Stan Forester, 5101 Country Club Road, Winston-Salem, NC 27104

ACTION REQUEST FORM

DATE: November 20, 2002
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 Winella L. Duncan and Fast Fare, Inc.

SUMMARY OF INFORMATION:

Zoning map amendment of Winella L. Duncan and Fast Fare, Inc. from HB and HB-S to HB-S (Food or Drug Store): property is located on the south side of Robinhood Road at the southern terminus of Polo Road. (Zoning Docket W-2590).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Winella L. Duncan and Fast Fare, Inc., Docket W-2590

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 HB and HB-S (Multiple Uses) to HB-S (Food or Drug Store) the zoning classification of the following described property:

Beginning at a PK Nail set in the southern right-of-way line of Robinhood Road (SR #1348) having NCGS coordinates of North = 864,759.5848 Feet; East = 1,610,542.6248 Feet, said PK Nail being located south 52° 19' 9" east for a distance of 2,671.81 feet from NCGS monument "Church" thence from said beginning point running with the southern right-of-way of said Robinhood Road; south 57° 59' 01" east for a distance of 76.37 feet to an existing 3/4" iron pipe; thence with said southern right-of-way of Robinhood Road south 58° 41' 02" east for a distance of 123.31 feet to an existing 3/4" iron pipe, the northwest corner of the Southern Community Bank and Trust Company (Deed Book 2041, Page 3528) and being known as Block 3410 - Parcel 52; thence along the Western boundary line of said Southern Community Bank lot south 04° 04' 04" west for a distance of 93.96 feet to an existing 3/4" iron pipe being the southwest corner of the Southern Community Bank lot and in the line of the Kroger Limited Partnership Tract (Deed Book 1986 Page 1965) and being known as Block 3410 - Parcel 211: thence along said Kroger line south 87° 24' 13" west for a distance of 13.44 feet to an existing 1/2" rebar, said rebar being the northwest corner of the aforementioned Kroger tract; thence along the western boundary line of said Kroger tract south 00° 48' 59" west for a distance of 75.22 feet to a point in Leinbach Plaza Drive and in the western boundary line of said Kroger tract; thence along a new line with said drive, the following 18 calls north 88° 25' 25" west for a distance of 30.44 feet to a point; thence north 88° 16' 25" west for a distance of 32.03 feet to a point; thence north 88° 32' 14" west for a distance of 44.47 feet to a point; thence north 88° 21' 41" west for a distance of 32.14 feet to a point; thence north 88° 21' 08"

west for a distance of 25.90 feet to a point; thence north 77° 27' 51" west for a distance of 20.46 feet to a point; thence north 65° 58' 07" west for a distance of 29.64 feet to a point; thence north 49° 46' 53" west for a distance of 23.86 feet to a point; thence north 33° 52' 55" west for a distance of 26.49 feet to a point; thence north 23° 24' 51" west for a distance of 31.57 feet to a point; thence north 09° 40' 19" west for a distance of 20.25 feet to a point; thence north 07° 50' 46" east for a distance of 32.59 feet to a point; thence north 18° 33' 36" east for a distance of 31.78 feet to a point; thence north 22° 06' 28" east for a distance of 20.99 feet to a point; thence north 31° 39' 58" east for a distance of 15.05 feet to a point; thence north 41° 49' 36" east for a distance of 26.64 feet to a point; thence north 46° 39' 12" east for a distance of 21.09 feet to a point; thence north 52° 08' 51" east for a distance of 61.41 feet to the point and place of BEGINNING and containing 1.312 acres more or less.

This being all of Block 3410 Parcel 54A and parts of Block 3410 Parcel 54D as described in Deed Book 628 Page 253 and being all of Block 3410 Parcel 61 as described in Deed Book 1866 Page 2806. This description was taken from an unrecorded plat prepared by Cavanaugh & Associates, P.A. and being designated as drawing no. 02-117; dated October 4, 2002.

This property is subject to a Reciprocal Easement as recorded in Deed Book 1860 Page 2859.

This property is subject to any and all easements of record to date.

Section 2. This Ordinance is adopted after approval of the site plan entitled Winella L.

Duncan and Fast Fare, Inc./Walgreens and identified as Attachment "A" of the Special Use

District Permit issued by the Board of Aldermen the _____ day of _____, to

Winella L. Duncan and Fast Fare, 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 Winella L. Duncan and Fast Fare, Inc./Walgreens. 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 Winella L. Duncan and Fast Fare, Inc., (Zoning Docket W-2590). 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 (Food or Drug Store), 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. 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 THE ISSUANCE OF BUILDING PERMITS**
 - a. On site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. All required fire hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.

- **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-2590
STAFF: S. Chad Hall

Petitioner(s): Winella L. Duncan and Fast Fare, Inc.
Ownership: Same

REQUEST

From: HB and HB-S (Multiple Uses)
To: HB-S (Food or Drug Store)

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

Acreage: 1.61 acres

LOCATION

Street: South side of Robinhood Road at the southern terminus of Polo Road.
Jurisdiction: City of Winston-Salem.
Ward: West.

SITE PLAN

Proposed Use: Food or Drug Store.
Square Footage: 13,575.
Building Height: 22'-4".
Parking: Required: 60; proposed: 60; layout: Typical suburban model with parking surrounding the proposed building.
Bufferyard Requirements: None required.
Vehicular Use Landscaping Standards Requirements: UDO standards shall apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Convenience store with gas pumps; would be demolished for construction of the proposed drug store.

Adjacent Uses:

North - HB; highway business uses.
Northeast - HB; highway business uses.
East - HB on other side of Robinhood Road; various commercial businesses.

South - HB-S; shopping center.
West - GO-S; medical offices.

GENERAL AREA

Character/Maintenance: A variety of well-maintained new and old commercial buildings; some vacant commercial in shopping center.

Development Pace: Moderate to rapid.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Removal of convenience store and overgrown weedy vegetation.

Topography: There is an approximate change in elevation on the subject property of 10' (from an approximate elevation of 950' in the northwest down to an approximate elevation of 940' in the southeast).

Vegetation/habitat: No streams, floodplains, wetlands, or any significant vegetation.

Will development of the site affect environmental resources beyond the site? Possibly.

If yes, how? The proposed development plan shows just under 85% impervious coverage for the subject property. Little existing vegetation will remain at the property lines - the lack of vegetation paired with the high percentage of impervious surfaces will, more than likely, lead to an increase in runoff from the site and could degrade water quality.

Watershed: Site is not within a water supply watershed.

TRANSPORTATION

Direct Access to Site: Polo Road; Robinhood Road.

Street Classification: Polo Road - minor thoroughfare; Robinhood Road - major thoroughfare.

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

Polo Road between Robinhood Road and Peacehaven Road = 5,700/18,500

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

Trip Generation/Existing Zoning: HB and HB-S

1,083/1,000 x 845.6 (Convenience Market with Gas Pumps Trip Rate) = 915 Trips per Day- plus an undetermined number of trips approved in the first phase of the existing HB-S zoning.

Trip Generation/Proposed Zoning: HB-S

13,575/1,000 x 88.16 (Pharmacy with drive-through Trip Rate) = 1,196 Trips per Day

Planned Road Improvements: Median construction on Robinhood Road.

Sight Distance: Good.

Traffic Impact Study recommended: No.

Sidewalks: None existing; sidewalk is proposed along Robinhood Road.

Traffic Calming: Median on Robinhood Road.

Transit: Route 21 along Robinhood Road.

HISTORY

Relevant Zoning Cases:

1. W-2443; RS-9 to LB-S (Veterinary Service; Professional Office and Offices, Miscellaneous); approved January 2, 2001; northeast side of Robinhood Road west of Whitaker Road; 2.87 acres; Planning Board recommended approval, staff recommended denial.
2. W-2377; RM-12 to NO-S (Professional Office; and Medical and Surgical Offices); approved April 3, 2000; northwest side of Polo Road between Robinhood Road and Greenvalley Road; 0.41 acre; Planning Board and staff recommended approval.
3. W-2359; HB and RS-9 to HB-S (Shopping Center); approved January 18, 2000; northeast side of Robinhood Road between Whitaker Road and Peace Haven Road; 9.21 acres; Planning Board and staff recommended approval.
4. W-2130; RM-12 to NO-S (Medical or Surgical Offices); approved March 3, 1997; Northwest side of Polo Road between Robinhood Road and Greenvalley Road; 0.9 acre; Planning Board and staff recommended approval.
5. W-2013; RM-18 to GO-S (Professional office; medical and surgical offices; and office misc.); approved December 4, 1995; southwest side of Robinhood Road between Huntinggreen Land and Polo Road; 4.19 acres; Planning Board and Staff recommend approval.
6. W-1903; R-3, R-2, and R-5 to B-3-S (Shopping Center - Two Phase); approved July 1, 1994; southwest side of Robinhood Road across from Polo Road; 9.7 acres; Planning Board and staff recommend approval.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): Robinhood Road is a designated urban boulevard in *Legacy*, connecting downtown Winston-Salem with the Robinhood Road West Metro Activity Center west of Muddy Creek. One of the purposes of urban boulevards is to concentrate jobs, retail and higher density housing at selected activity nodes along these corridors. This section of Robinhood Road between Peacehaven Road and Polo Road is an existing activity node.

One of the recommendations in *Legacy* is that development along Urban Boulevards support the mix, type, density and design of development that facilitates walking, bicycling and the use of public transportation. *Legacy* also states that the design of development along urban boulevards should support pedestrian activity and give these corridors an urban look and feel.

Area Plan/Development Guide: *Robinhood Road Area Plan* (adopted in 1986)

Relevant Development Guide Recommendation(s): The subject property is located in an existing commercial area. Map 10 of the *Robinhood Road Area Plan* recommends that the subject property be developed as a commercial use.

ANALYSIS

The current request is to rezone 1.61 acres from HB and HB-S to HB-S (Food or Drug Store). The subject property is located south of Robinhood Road at the terminus of Polo Road and presently has a convenience store with gas pumps operating on the HB portion of the site. The petition calls for the demolition of the convenience store for the construction of a 13,575 square foot Walgreen's drug store, based on the site plan.

The site is located along an "Urban Boulevard" as described in the *Legacy* development guide as "special corridors along selected major arterial roads that...concentrate jobs, retail, and higher density housing at selected activity nodes along these corridors". The subject property falls within one such activity node; said node exists between Polo Road and Peacehaven Road. In addition, one of the recommendations in *Legacy* is that development along urban boulevards support the mix, type, density and design of development that facilitates walking, bicycling and the use of public transportation. *Legacy* also states that the design of development along urban boulevards should support pedestrian activity and give these corridors an urban look and feel.

With the proximity of the proposed Walgreen's to the nearby medical offices, especially on the fringes of an activity center, this may warrant the location of a transit stop. The necessary provision of pedestrian pathways and sidewalks in this area would encourage pedestrian activity between complementary uses, even without the transit stop. Staff would encourage the City to evaluate the viability of providing such a stop in this location upon the completion of the Walgreen's, if approved for rezoning.

Legacy also states, pertaining to urban boulevards, that they "create attractive urban gateways leading into downtown Winston-Salem". The site plan, while still somewhat suburban in character in that the building is surrounded by parking, also illustrates a combination of Crape Myrtles and Sugar Maples as landscaping. This combination, if installed and maintained with care, would add a splash of color along the corridor with red flowers from the Crape Myrtles in the spring and summer to an orange wash from the leaves of the Sugar Maples in the fall of the year. Furthermore, for the preferred use and square footage of the proposed development, the site plan has been squeezed to the fullest extent to fit on the property and meet parking requirements, even with reductions for the sidewalk. In that, although suburban in nature, the plan has attempted to address the goals of the urban boulevard while still catering to the desires of Walgreen's.

Lastly, the subject property also falls within the *Robinhood Road Area Plan* (adopted by the Board of Alderman January 6, 1986). The area plan identifies this property as being developed as a commercial use.

FINDINGS

1. The site is located along an "Urban Boulevard" as identified in the *Legacy*.
2. The subject property falls within an activity nodes along an urban boulevard.
3. The area plan identifies this property as being developed as a commercial use.
4. The approval of this request may warrant the location of a transit stop.
5. Although somewhat suburban in nature, the plan has attempted to address the goals of the urban boulevard.
6. Both use and design complement the surrounding environs.

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. 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 THE ISSUANCE OF BUILDING PERMITS**
 - a. On site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
- **OTHER REQUIREMENTS**
 - a. Signage shall be limited to one (1) monument sign 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: Dara Folan

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning