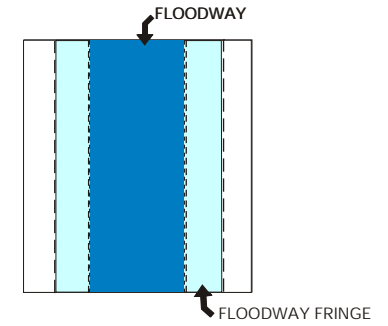


DOCKET #: F1391

PROPOSED ZONING:
LI-S (TWO PHASE)

EXISTING ZONING:
AG, RS20

PETITIONER:
Winston-Salem Alliance
for property owned by others



SCALE: 1" represents 1000'

STAFF: Gallaway

GMA: 4

ACRE(S): 190.44

MAP(S): 660838, 660842,
666838, 666842

DRAFT ZONING STAFF REPORT

DOCKET # F-1391
STAFF: Suzy Gallaway

Petitioner(s): Winston-Salem Alliance, Inc.
Ownership: William Tucker and Nancy Tucker

REQUEST

From: AG (Agricultural)
To: LI-S (TWO PHASE- Arts and Crafts Studio; Building Materials Supply; Wholesale Trade, A; Wholesale Trade, B; Banking and Financial Services; Building Contractors, General; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Services, Public; Academic Medical Center; Adult Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; College or University; Government Offices; Hospital or Health Center; Police or Fire Station; Post Office; Postal Processing Facility; Schools, Vocational or Professional; Manufacturing A; Manufacturing B; Broadcast Studio; Helistop; Park and Shuttle Lot; Parking, Commercial; Transmission Tower)

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

Acreage: 190.44 acres

LOCATION:

Street: North and south sides of Temple School Road north of High Point Road and west of Union Cross Road

Jurisdiction: Forsyth County

SITE PLAN

Proposed Use: Business Park

Square Footage: To be determined with second phase.

Building Height: 70 foot maximum

Parking: Required: To be determined with second phase through site plan review.

Bufferyard Requirements: 50 foot Type IV where adjacent to residential zoning.

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Single family residence and related outbuildings.

Adjacent Uses:

North- Single family subdivisions, zoned RS-15-S, RS-20, AG

East- Agricultural property, zoned AG

Southeast- Agricultural property, zoned AG

West- Single family homes, zoned RS-20 and AG

GENERAL AREA

Character/Maintenance: Rural farmland interspersed with residential subdivisions

Development Pace: Moderate

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site is fairly flat, would be likely impacted by impervious surface additions.

Topography: The subject property experiences an elevation change from a low of 834.1 feet in the westernmost portion of the site to about 940 feet in the center of the site.

Streams: Swaim Creek forms the northern border of much of the subject property. Two branches of Swaim Creek also traverse through the site. South Fork Muddy Creek and a branch also traverse the southern outparcel (south of Temple School Road) of the site.

Vegetation/habitat: The subject property is heavily vegetated along the property's streams and branches, but large parts of the property have little or no vegetation.

Floodplains: Along Swaim Creek, some portions of the site are located in the floodway and/or floodway fringe.

Wetlands: Two wetlands are located on the subject property. Both of the wetlands are located in the northeastern portion of the site and are identified as PUBHh (Palustrine Unconsolidated Bottom, Permanently Flooded, Diked/Impounded), per the Winston-Salem East Quad.

Environmental Resources Beyond The Site: The environmental impacts beyond this site are difficult to determine because of the wide variety of uses potentially allowed.

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

Compliance with Federal/State requirements for wetland/stream protection: The site plan shows one wetland on the site, but does not specifically indicate the other. However, the site plan does show two optional stormwater management ponds where this second wetland may be located. The petitioner is responsible for complying with all federal and state wetland regulations.

Comments: Notably, some efforts have been made to provide open/common space along the property's most environmentally sensitive areas.

TRANSPORTATION

Direct Access to Site: Temple School Road; Graytuck Drive; High Point Road; Union Cross Road; US 311

Street Classification: Temple School Road – Collector; Graytuck Drive – Local Road; High Point Road – Major Thoroughfare; Union Cross Road – Major Thoroughfare

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day): High Point Road – No counts taken in 1993, 1995, 1998 or 2001
Union Cross Road between High Point Road and Temple School Road = 9,400 / 11,100
Union Cross Road between Temple School Road and I-40 = 14,000 / 11,100

Trip Generation/Existing Zoning: AG: $190.44 \times 43,560 / 40,000 = 201$ dwellings $\times 9.57$ (SFR Trip Rate) = 1,980 Trips per Day

Trip Generation/Proposed Zoning: LI-S $190.44 - 44.55$ (acres in common area) = 145.89 $\times 149.79$ (Business Park Trip Rate by Acres = 21, 852 Trips per day. Note: This estimate is based on standard ITE trip generation calculations. A more complete analysis of traffic impacts is described in the Traffic Impact Study which has been submitted by the developer and is currently under review by the North Carolina Department of Transportation.

Planned Road Improvements: The western portion of the site lies within study corridor for the southern leg of the Eastern Beltway.

Traffic Impact Study recommended: Although a TIS is not required until the Final Development Plan is submitted, the petitioner has submitted one and the results will be available prior to the Planning Board public hearing.

Bicycle Route: Route 24, Union Cross Connector, along High Point Road south of site

HISTORY

Relevant Zoning Cases:

1. F-1339; AG and RS-20 to RS-15-S (Residential Building, Single Family and Planned Residential Development); approved June 25, 2001; 43.14 acres; south side of Glenn Hi Road west of Witwould Lane and west of Valjean Lane; Planning Board and staff recommended approval.
2. F-1337; RS-20 to RS-15-S (Residential Building, Single Family and Planned Residential Development); approved April 12, 2001; 1.32 acres; south side of Glenn Hi road east of Yeaton Glen Drive; Planning Board and staff recommended approval.
3. F-1334; AG to RS-15-S (Residential Building, Single Family and Planned Residential Development); approved February 26, 2001; 56.0 acres; south side of Glenn Hi road east of Yeaton Glen Drive; Planning Board and staff recommended approval.

4. F-1294; AG to RS-20; approved May 8, 2000; 1.26 acres; southeast side of Glenn Hi Road east of Yeaton Glen Drive; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Future Growth Area (GMA 4)

Relevant Comprehensive Plan Recommendation(s): The overall economic development goal in *Legacy* is to attract environmentally sensitive new businesses and expand existing large and small businesses to provide a broad range of employment opportunities and a high quality of life for people living and working in Forsyth County. One of the policies under that overall goal is to recognize the scarcity of “greenfield” industrial sites and promote the wisest economic use of those limited resources.

Area Plan/Development Guide: Site is located within the study area for the draft “Union Cross/Southeast Forsyth County Area Plan” which has been adopted by the City-County Planning Board. No fully adopted area plans or development guides are applicable.

Relevant Development Guide Recommendation(s): The draft plan recommends that the subject property be developed as a business park. The draft plan recognizes that by clustering business development in specified areas, strip development will be limited and large areas can be preserved and/or developed at low densities. This business park, like the other business parks recommended within the study area, should follow the draft design guidelines located in the Appendices of the draft plan. The draft plan further recommends that all development respect and preserve sensitive environmental features, to the greatest extent practicable. The proposed project does provide some open space adjacent to Swaim Creek, and does respect the most sensitive environmental features of the site.

GREENWAY/RECREATION/OPEN SPACE REVIEW

Greenway Plan: Adopted Greenway Plan- Winston-Salem and Forsyth County

Greenway/Trail Name: Swaim Creek

Easement Requested: 40 feet

Side of Creek: South side

ECONOMIC DEVELOPMENT

Prime Industrial Site: Although this site is not formally included in the *Industrial Sites Handbook* (1990), it has been evaluated as a potential industrial site for several years. Public water is currently available and public sewer is currently available in Swaim Creek.

Available Infrastructure: Public water and sewer service is currently available in Swaim Creek and can be provided with relative ease to the site. The site has good access to US 311 and I-40 via Union Cross Road.

ANALYSIS

This petition is a request to rezone just under 200 acres from AG to LI-S. It is the largest business park request in seven years in Forsyth County. This case is unusually complex in that staff must examine not only the localized land use impacts of the proposed business park but also the strategic economic needs of all of Forsyth County. In this analysis staff will evaluate: 1) Forsyth County's industrial site needs, 2) the suitability of the proposed location and 3) the effectiveness of the proposed site plan in mitigating various impacts to adjacent neighbors and the surrounding area.

For at least the past fifteen years, economic development leaders in Forsyth County have sought to strengthen the county's economy, in part by diversifying its economic base. Significant growth in biotechnology and related fields has helped boost the county's diversification efforts. Strong local economy is generally acknowledged as fundamental to maintaining low local tax rates while still providing sufficient tax revenues to support desired and essential government services.

As with other aspects of the economy, national trends in technology and transportation create needs for greater production efficiency and technical innovation. Modern facilities must be designed to meet new production space requirements and are typically located with good transportation access to interstate highways and regional airports. These requirements as well as other basic infrastructure needs such as water and sewer, are considered essential. Consequently, industrial parks created to facilitate the expansion needs of existing and new industries, have become a common strategy for many communities. Indeed other business and industrial parks in Forsyth County have succeeded in selling their available tracts. Piedmont Centre, a large high quality business park in Guilford County, has been previously ranked number one or two nationally in its business recruitment efforts.

Economic development experts assert that competitively priced land, pre-zoned and properly served with the requisite public infrastructure, is essential to creating viable industrial and business parks and that such parks can be successfully marketed in Forsyth County. It can be difficult to have pre-zoned and construction-ready land available for business parks because of competing land uses nearby. Pre-zoned land can offer an incentive to businesses by eliminating the uncertainty of the rezoning process. *Legacy* acknowledges the need by recommending the creation of industrial sites which are "development ready".

Staff notes that many communities nationally, including Forsyth County, have experienced some success with redeveloping older, obsolete and abandoned manufacturing facilities (brownfield sites). One excellent example is the Piedmont Triad Research Park located in downtown Winston-Salem. Staff considers such industrial reuse as an efficient use of existing public facilities and a catalyst for major urban revitalization. Staff encourages brownfield development as an important component of

the county's economic development strategy. However significant the potential for industrial redevelopment, staff concludes that new sites ("greenfields", as identified in *Legacy*) are still necessary at this time to successfully compete for quality jobs and new capital investment in the Triad market area.

Therefore, in terms of the general trends and economic needs of Forsyth County, staff considers the proposed 190-acre business park rezoning as the first installment of an even larger business park to be consistent with adopted community policy and recognized economic development strategies.

Once the determination has been made regarding the need of a business park, the next logical step is determination of the location of such a site. In Forsyth County, one fundamental factor of geography, which influences the nature and intensity of all new development, is the Muddy Creek drainage basin. Analogous to a giant funnel, various streams within the Muddy Creek Basin converge at a single point in the southwestern quadrant of the county just before it exits into Davidson County and ultimately the Yadkin River. The natural branching pattern of streams within this "funnel" provides the blueprint for Forsyth County's cost-effective gravity flow sewage system. Once beyond the ridgeline, which defines the outer extremity of the basin, sewage must be pumped over the ridge to treatment plants within the basin. Given the location of the proposed business park, sewer is possible with the existing drainage patterns within the basin.

As the site has good access to nearby major thoroughfares and is located on the eastern side of the county, it has high desirability, particularly with likelihood of a FedEx hub at the regional airport in the near future.

As it can be difficult to acquire land for development of such parks due to the appeal of the area for residential subdivisions, it is important to reserve such land when it becomes available. This approach to land banking helps ensure future economic growth in Forsyth County. Based on economic, geographic and public policy factors, staff observes that the Union Cross area has already begun to experience the consequences of urban growth. Smaller lot subdivisions are developing around the site as sewer is available. The area is also attractive to commuter families where one or more family members work in the broader Triad area. The Union Cross area is growing and land suitable for a consolidated development at this location may not be available in the future. As this is part of a much larger area described in the draft "Union Cross/Southeast Forsyth County Small Area Plan", staff concludes that a properly designed industrial area of the size requested in this zoning petition may be acceptable. To wait longer could jeopardize the opportunity.

The third step in determining the appropriateness of a business park is to consider how to minimize the impact on the surrounding community. The petitioner has submitted a special use request for the subject property. The site plan submitted addresses concerns staff would have with a business park adjacent to residential property. The petitioner has indicated a minimum 50-foot buffer along the perimeter of the property where adjacent to residential zoning. There is also a 100-foot building setback from residential properties. There are sidewalks and street trees indicated on the site plan also making it

more functional and aesthetically pleasing than one might typically expect of a business park. Many areas of existing trees and vegetation are indicated to remain, limiting impacts on neighbors of the site. Twenty percent of the proposed park has been set aside for common open space, not to be developed. Staff is requesting a greenway easement be established along the on-site stream. This would act both as a natural buffer as well as maintaining natural animal migration patterns. The petitioner has also agreed to most, if not all of staff's Business Park Design Guidelines for the draft Southeast Forsyth County/Union Cross area plan. The petitioner has submitted a traffic impact study to address any impacts on traffic in the area. This study is currently under review by the NCDOT. Staff expects the results and recommendations to be available at the Planning Board hearing.

The site is identified in the draft "Southeast Forsyth County/Union Cross Area Plan" as part of a larger comprehensive business park. Following conversations with the petitioner, staff understands the current request will be part of a broader business park proposal. Staff would have liked to see the entire park come in under one request, but feels that the care given to the design of this component is adequate for this phase of the comprehensive project and bodes well for future phases. Once the business park zoning in its entirety is established it would not set a precedent for other commercial uses in the area beyond the boundaries as identified in the pending area plan. By its very nature, a business park is designed to be an integrated commercial area with minimal impact on neighboring residential properties.

This plan has been submitted as an LI-S two-phase project with the requested provision that the second phase site plan be approved at the staff level. This provision is pending a UDO Text Amendment (UDO-102) that authorizes such staff approval. This means the petitioner has established key elements in the first phase. Such elements include buffers, building envelopes, traffic impacts and general site design. The first phase sets the standard for future phases of development in the park which would be approved by staff.

If approved, this site offers the opportunity through a consolidated proposal to produce a unified project that could offset many of the development disadvantages that might otherwise occur through piecemeal suburban residential development. Either with or without the approval of this business park request, the Union Cross area will increasingly experience the pressures of urban development. Good transportation access to and throughout the Triad region, land availability and water and sewer service will drive the market demand for development in the area. Growth in this area can be expected to follow trends similar to what has occurred within the last decade in the western part of Forsyth County.

Staff recommends approval of this request as it meets the criteria for development of a business park with economic benefits for the county, appropriate location and adequate protection for the surrounding area. The pending area plan also supports a business park at this location.

FINDINGS

1. New business park sites in large consolidated tracts are considered a strategic economic need by county economic development leaders and by planning staff.
2. The Union Cross area, and specifically the subject site, embodies many key criteria of quality industrial development, i.e., large acreage, good topography, good transportation access and central Triad location. Public water and sewer are available to the site.
3. The Union Cross area is likely to experience growth for the reasons cited in the above finding 2 regardless of the approval or denial of this zoning request.
4. The LI zoning classification as defined in the UDO is a limited industrial district that was created to be compatible with adjacent residential uses.
5. A large, consolidated business park site offers opportunities through site design and comprehensive planning to address many issues such as traffic, stormwater management, open space retention and other concerns which are more difficult to address if the same property and acreage were to be developed piecemeal.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions:

- **PRIOR TO ANY LAND DISTURBING ACTIVITY**
 - a. Grading permits must be issued by the North Carolina Department of Environment and Natural Resources (DENR) since this is a construction project of an agency of the City of Winston-Salem.
 - b. Developer shall cordon off all areas shown on the site plan as buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Trees in all these areas shall be protected from grading encroachment in accordance with UDO Section 3-4.2(H)(3).
 - c. 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 OCCUPANCY PERMITS**
 - a. Any required road improvements as recommended in the approved Traffic Impact Study for this site must be completed to the specifications of the North Carolina Department of Transportation.

- **PRIOR TO SIGNING FINAL PLATS**
 - a. Negative access easements shall be shown on the final plats for Lots 1, 16 and 22.

- **OTHER REQUIREMENTS**
 - a. The Final Development Plan shall be reviewed by City County Planning staff in accordance with volunteered conditions and portions of draft “Southeast Forsyth County/Union Cross Area Plan” Design Guidelines for New Business Parks (see Exhibit A.)