



**DOCKET #:** WA062

**PROPOSED ZONING:**  
LB-S and SIDA

**EXISTING ZONING:**  
RS20 and HB

**PETITIONER:**  
David Heath

 Property included in zoning request.

 500' mail notification radius. Property not in zoning request.

**SCALE:** 1" represents 300'

**STAFF:** Roberts

**GMA:** 3

**ACRES:** 2.42

**NEAREST BLDG:** 5' south

**MAP(S):** 6858.04



**CITY-COUNTY PLANNING BOARD  
DRAFT STAFF REPORT**

<b>PETITION INFORMATION</b>			
<b>Docket #</b>	WA-062		
<b>Staff</b>	<a href="#">Gary Roberts, Jr., AICP</a>		
<b>Petitioner(s)</b>	David Heath		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	PIN 6858-83-3023 and portions of 6858-82-3836 and 6858-82-4874		
<b>Address</b>	The site does not currently have an address assignment.		
<b>Type of Request</b>	Special Use rezoning from RS20 to LB-S and a Special Intense Development Allocation (SIDA)		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> RS20 (Residential, Single Family – 20,000 sf minimum lot size) <b>to</b> LB-S (Limited Business – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Retail Store; Services, A; and Offices</li> </ul>		
<b>Neighborhood Contact/Meeting</b>	According to the petitioner: “I have canvased most of the residents of Morris Street and Payton Lane showing them maps and elevation of the proposed rezoning for the dental office. All have been satisfied and not one has objected to added traffic.”		
<b>Zoning District Purpose Statement</b>	The LB District is primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods, including smaller business locations up to ten (10) acres in size in rural areas. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so that this district, in some instances, may serve as a transition between residential districts and other commercial districts. This district is intended for application in GMAs 2, 3, 4 and 5.		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<p><b>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Yes. The modest sized site is adjacent to a residential area with has direct access to a major thoroughfare (Old Hollow Road/NC 66). The site is also located within GMA 3.</p>		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	Southeast corner of Morris Street and Payton Lane		
<b>Jurisdiction</b>	Walkertown		
<b>Site Acreage</b>	± 2.42 acres		
<b>Current Land Use</b>	The site is currently undeveloped.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	RS20	Single-family homes
	East	RS20	Single-family home
	South	HB	Commercial uses

	West	RS20	Single-family homes			
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>					
	The proposed uses are compatible with the commercial uses permitted on the adjacent HB zoned properties but less compatible with the low-density residential uses permitted on the adjacent RS20 zoned properties.					
<b>Physical Characteristics</b>	The site is predominantly grassed and has a general slope downward to the southeast. The southern portion of the site include part of two separate buildings which front on Old Hollow Road/NC 66.					
<b>Proximity to Water and Sewer</b>	Public water and sewer exist within Morris Street and Payton Lane.					
<b>Stormwater/ Drainage</b>	Because the petition includes a request for a Special Intense Development Allocation (SIDA), future development must utilize stormwater controls based on the Stormwater Quality Management Permit requirements of Section C.3-5 of the <i>Walkertown Unified Development Ordinances</i> . The site plan shows an off-site stormwater management device on the adjacent property (same ownership) to the east.					
<b>Watershed and Overlay Districts</b>	The site is located within the balance of the Salem Lake WS III Water Supply Watershed. The built-upon area within the balance area is limited to 24 percent unless a SIDA is granted by the Town of Walkertown, which the petitioner has requested.					
<b>Analysis of General Site Information</b>	The majority of the site is undeveloped. The developer has agreed to preserve an existing mature oak tree located at the northwest corner of the site. The site is located within the Salem Lake Watershed. See the Analysis of Site Plan Compliance with UDO Requirements section below for evaluation of the SIDA request.					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	WAPB
WA-033	HB-S to HB-S	Approved 2/28/2008	200 feet southwest	.39	Approval	Approval
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Old Hollow Road/NC 66	Major Thoroughfare	281 feet	14,000	13,800		
Morris Street	Local Street	197 feet	N/A	N/A		
Payton Lane	Local Street	446 feet	N/A	N/A		
<b>Proposed Access Point(s)</b>	The proposed site plan shows right-in, right-out access from Old Hollow Road/NC 66 and full access from Morris Street.					
<b>Planned Road Improvements</b>	Transportation Improvement Plan (TIP) U-5824 will widen the section of Old Hollow Road/NC 66 directly south of the subject property to a four-lane, median-divided facility with curb, gutter, and sidewalks along both sides. Right-of-way acquisition is ongoing and construction is currently					

	scheduled to begin in 2023. NCDOT has agreed to grant right-in, right-out access from Old Hollow Road/NC 66 to the subject property <i>before</i> U-5824 is complete.	
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: RS20 and HB</u>  2.02 acres / 20,000 sf = 4 units x 9.57 (SFR trip rate) = 38 trips per day for the RS20 zoned portion of the site. Staff is unable to generate trip generation for the portion of the site which is currently zoned HB because there is no site plan.</p> <p><u>Proposed Zoning: LB-S</u>  4,200 sf / 1,000 x 44.32 (Specialty Retail Center trip rate) = 186 trips per day + 5,000 sf / 1,000 x 36.13 (Medical-Dental Office Building trip rate) = 181 trips per day + 5,000 sf / 1,000 x 11.01 (General Office Building trip rate) = 55 trips per day = <b>422 total trips per day</b></p>	
<b>Sidewalks</b>	The Town recently installed a sidewalk along Morris Street. The proposal includes a lateral connection to this sidewalk and a lateral connection to the future sidewalk along Old Hollow Road/NC 66.	
<b>Transit</b>	Transit is not available.	
<b>Connectivity</b>	The proposed site plan includes an eastern connection to property zoned RS20.	
<b>Transportation Impact Analysis (TIA)</b>	A TIA is not required.	
<b>Analysis of Site Access and Transportation Information</b>	The corner lot will be accessed from Old Hollow Road/NC 66 and Morris Street. Once Old Hollow Road/NC 66 is widened, that access will be converted to right-in, right-out only. The Town recently installed a sidewalk along the Morris Street frontage. The petitioner has agreed to widen Morris Street from Old Hollow Road/NC 66 to the proposed driveway and overlay this section with asphalt.	
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>		
<b>Building Square Footage</b>	<b>Square Footage</b>	<b>Placement on Site</b>
	14,200 (total for three buildings)	Northern portion of site
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>
	47 spaces	61 spaces
<b>Building Height</b>	<b>Maximum</b>	<b>Proposed</b>
	40 feet	One-story
<b>Impervious Coverage</b>	<b>Maximum</b>	<b>Proposed</b>
	70 percent with SIDA	39 percent
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Chapter B, Article II, Section 2-1.3 (G) Limited Business District</li> <li>Chapter C, Article III, Section 3-5.2 (B) Watershed Protection Development Standards</li> </ul>	
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>	<b>(A) Legacy 2030 policies:</b>	Yes
	<b>(B) Environmental Ord.</b>	See Watershed Protection comments below.
	<b>(C) Subdivision Regulations</b>	N/A
<b>Analysis of Site</b>	The site plan proposes three, one-story buildings totaling 14,200 square	

**Plan Compliance  
with UDO  
Requirements**

feet, with a parking area adjacent to the HB zoned property to the south.

As noted previously, the site is located within the balance of the Salem Lake Watershed where impervious coverage is limited to 24 percent. As per Chapter C, Article III, Section 3-5.2 (D) of the Walkertown UDO, the Town has been allotted a total of 85 acres within the Salem Lake Watershed within its jurisdiction which may be developed with up to 70% impervious coverage provided a Special Intense Development Allocation (SIDA) is granted by the Town of Walkertown. The petitioner is requesting SIDA approval as the proposed impervious coverage is approximately 39 percent.

The following are the criteria set forth in the Walkertown UDO that must be met to receive a SIDA (*Planning staff comments are shown in italics*):

- a. The proposed project is in conformance with the adopted Comprehensive Plan.

*The request is generally in conformance with Legacy 2030, which encourages compatible infill development that fits within the context of its surroundings. The request is in conformance with the Walkertown Area Plan Update, which recommends Office/Low-Intensity Commercial uses on the site.*

- b. The proposed project land use and site design are compatible with the general character of the area and surrounding land uses.

*The proposed uses are compatible with the commercial uses permitted on the HB zoned properties to the south but less compatible with the surrounding residentially zoned properties; however, the request includes several site design features intended to make it generally compatible with the surrounding single-family homes.*

- c. The proposed project provides a significant economic benefit to the community by creating or retaining jobs, increasing the property tax base, or assisting an existing industry to grow and or remain in Forsyth County; or, the project meets an identified community need such as the provision for community services or affordable housing.

*The request would permit an existing Walkertown establishment being purchased from NCDOT to relocate due to the widening of Old Hollow Road/NC 66. The SIDA application states that the request would add 25 new jobs and 3.5 million dollars to the tax base.*

- d. The proposed project does not pose a threat to the environment, especially water quality, and appropriate steps have been taken to minimize any potential negative environmental impacts.

	<p><i>Yes, the proposed site plan includes a stormwater management device and the developer will be required to obtain a stormwater development permit prior to construction.</i></p> <p>e. The proposed project has good transportation access, including proximity to major roads and/or rail lines.</p> <p><i>The site will be accessed from Old Hollow Road/NC 66, which is a major thoroughfare.</i></p>
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 3 – Suburban Neighborhoods
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• Promote compatible infill development that fits with the context of its surroundings.</li> <li>• Discourage inappropriate commercial encroachment into neighborhoods.</li> <li>• Require sufficient, but not excessive parking, while protecting adjacent land uses, surrounding neighborhoods and the environment. Provide incentives to reduce on-site parking, promote active forms of transportation, and minimize environmental impacts.</li> <li>• Promote land use compatibility through good design and create a healthy mix of land uses in proximity to one another. Move away from the separating and buffering of some land uses and toward transitioning and blending those uses.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>Walkertown Area Plan Update (2014)</i>
<b>Area Plan Recommendations</b>	The area plan recommends Office/Low-Intensity Commercial uses for the subject property.
<b>Site Located Along Growth Corridor?</b>	The site is not located along a growth corridor.
<b>Site Located within Activity Center?</b>	The site is not located within an activity center.
<b>Addressing</b>	The proposed buildings will be addressed from the new internal private street (Batten Lane).
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(3) - Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>(R)(4) - Is the requested action in conformance with Legacy 2030?</b>
	Yes
<b>Analysis of Conformity to Plans and</b>	The request for LB-S zoning would permit the construction of three office/retail buildings on an undeveloped corner lot. The site abuts HB zoning to the south and single-family zoning and homes to the west,

<b>Planning Issues</b>	<p>north, and east.</p> <p>The <i>Walkertown Area Plan Update</i> identifies this site as being suitable for Office/Low-Intensity Commercial uses, which the petitioner proposes. However, the proposal would also extend commercial zoning deeper into a single-family residential area. To minimize impacts to the surrounding residential area, the request includes several design features intended to create a sensitive transition between the heavy commercial zoning along Old Hollow Road/NC 66 and the homes along Morris Street and Payton Lane. These features include no access to Payton Lane, pedestrian oriented building placement with parking located closer to the commercial area, and attractive (one-story) building elevations. The petitioner has also agreed to retain the mature oak tree located on the northwestern corner of the site and to limit signage for the development.</p>
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**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The request is consistent with the Office/Low-Intensity Commercial use recommendation in the <i>Walkertown Area Plan Update</i> .	The request extends commercial zoning deeper into a residential area.
The request includes multiple points of access.	The request would increase traffic.
The site is adjacent to HB zoned property to the south.	
The request includes several site design elements intended to provide a sensitive blending between HB and RS20 zoned properties.	

**SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  - a. Developer shall obtain a Watershed Permit from the Erosion Control Officer.
  - b. Developer shall install tree protection fencing at a minimum around the critical root zone of the specimen tree located in the northwestern corner of the site and shown on the site plan to remain. No grading activity shall take place within this area.
  - c. Developer shall obtain a driveway permit from NCDOT for the access from Old Hollow Road/NC 66.
  
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  - a. Proposed building plans shall be in substantial conformance with the approved elevations as verified by Planning staff.
  - b. Developer shall record a negative access easement along Payton Street.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  - a. Dumpster screening shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.

c. Developer shall widen Morris Street from Old Hollow Road/NC 66 to the proposed driveway on Morris Street to twenty-two (22) feet and overlay this road section with asphalt.

• **OTHER REQUIREMENTS:**

- a. All required trees noted on the site plan shall be large variety trees, unless impractical due to overhead or underground utilities.
- b. Freestanding signage shall not include Electronic Message signs and no signs shall be internally illuminated.

**STAFF RECOMMENDATION: Approval**

**NOTE:** These are **staff comments** only; the Walkertown Planning Board makes final recommendations on proposals, and final action is taken by the Walkertown Town Council which may approve, deny, continue or request modification to any request. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**



SITE PLAN LEGEND

REVIEW INFORMATION

- Type of Review:  
 Special Use Zoning  
 Site Plan Amendment  
 Special Use Permit (Elected Body Only)  
 Final Development Plan  
 Preliminary Subdivision  
 Planning Board Review

Jurisdiction

- City of Winston-Salem  
 Forsyth County  
 Village of Clemmons  
 Town of Walkertown

THE PURPOSE OF THIS REQUEST IS TO REZONE PROPERTY FROM HB AND RS-20 TO LB-S TO ALLOW FOR RELOCATION OF BUSINESSES AS NECESSITATED BY WIDENING OF NC 66 AND TO FACILITATE APPLICATION FOR SIDA

INFRASTRUCTURE

	Public	Private
Water	X	
Sewer	X	
Streets	X	

Linear feet of public streets: N/A

SITE SIZES AND COVERAGES

Total Acreage: 2.418 AC. +/-  
 Site Coverages  
 Building to Land 14 %  
 Pavement to Land 25 % (29,054 sf)  
 Open space 61 %  
 Building Square Footage: 14,200 s.f.  
 Building Height 1 STORY ft.

ZONING

Existing Zoning: RS-20  
 Proposed Zoning: LB-S  
 Proposed Uses: OFFICES, RETAIL STORE, SERVICES, A

PROPERTY INFORMATION

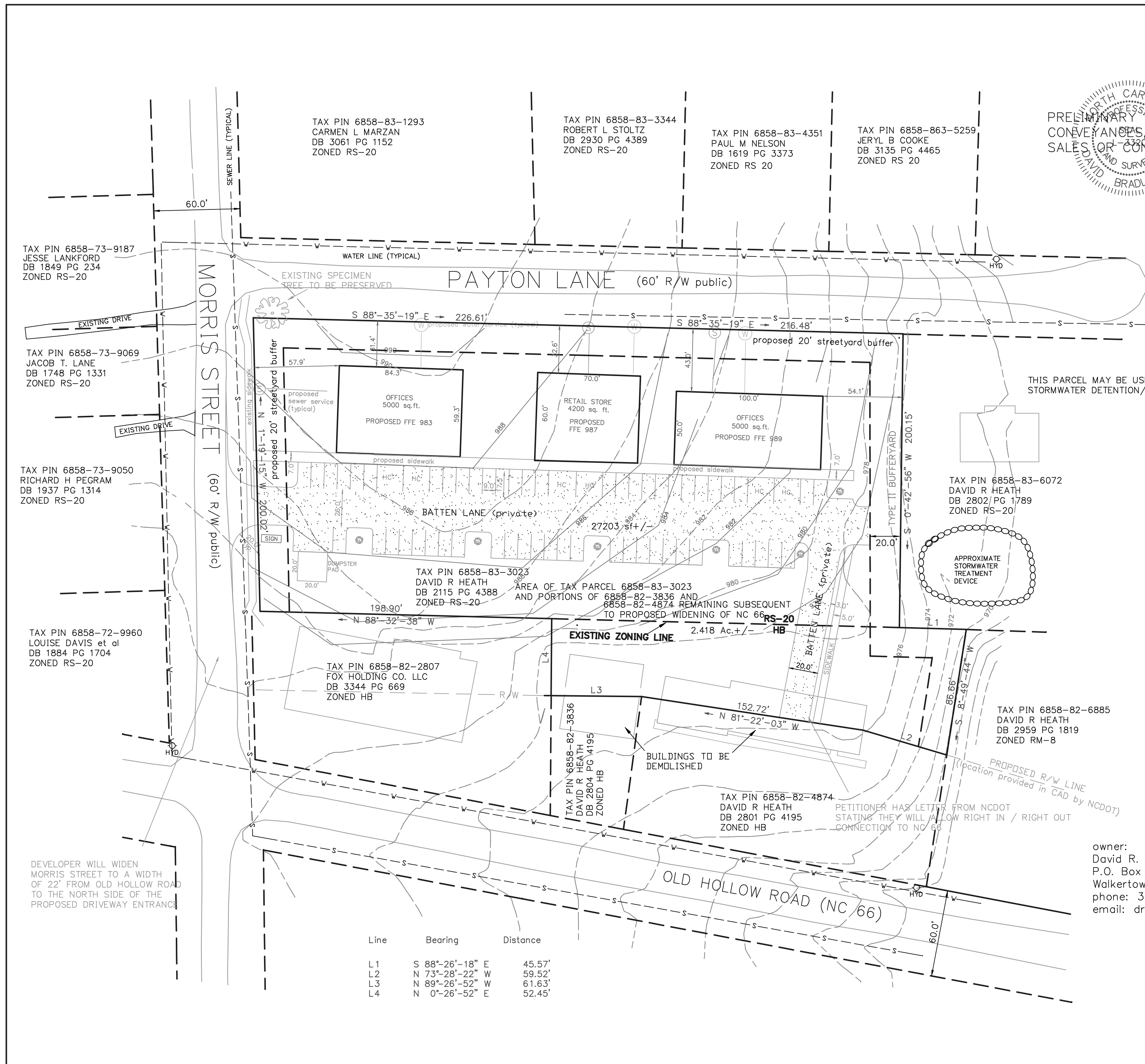
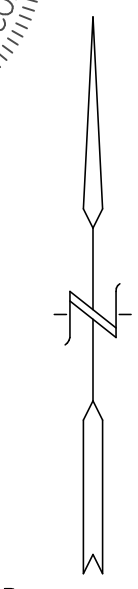
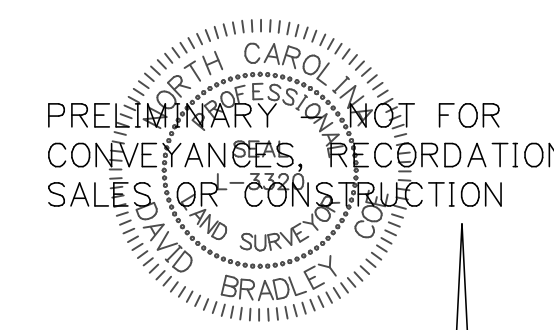
PIN #'s: 6858-83-3023  
 P/O 6858-82-4874 P/O 6858-82-3836

OFF-STREET PARKING (if applicable)

Proposed Use(s): Offices, Retail Store  
 Required Parking: 1 space per 300 SF  
 Parking Provided: 55 regular + 6 HC = 61 (47 required)

BUFFERYARDS

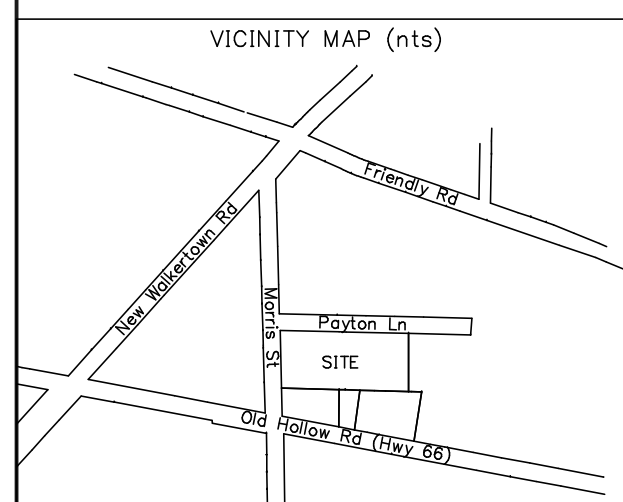
Adjoining Zoning: RS - 20, RM - 8  
 Type Required: TYPE II  
 Width Provided: 20' (min)



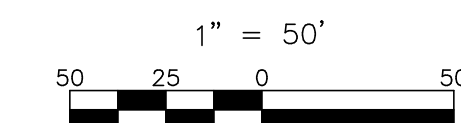
Line	Bearing	Distance
L1	S 88°-26'-18" E	45.57'
L2	N 73°-28'-22" W	59.52'
L3	N 89°-26'-52" W	61.63'
L4	N 0°-26'-52" E	52.45'

owner:  
 David R. Heath  
 P.O. Box 545  
 Walkertown, NC 27051  
 phone: 336 978-7058  
 email: drhdds1@gmail.com

DEVELOPER WILL WIDEN MORRIS STREET TO A WIDTH OF 22' FROM OLD HOLLOW ROAD TO THE NORTH SIDE OF THE PROPOSED DRIVEWAY ENTRANCE



WATERSHED CALCULATIONS (PROPERTY IS IN THE BALANCE OF THE SALEM LAKE WATERSHED)  
 TOTAL SITE SQUARE FOOTAGE : 105,328 square feet  
 MAXIMUM ALLOWABLE COVERAGE : 30% (WITH STORMWATER CONTROL) = 31,598 square feet  
 PROPOSED BUILT UPON AREA : 39% (41,403 square feet)  
 SIDA WILL BE REQUIRED - AMOUNT NEEDED = 9805 square feet  
 EROSION CONTROL PLAN AND STORMWATER MANAGEMENT PLAN WILL BE REQUIRED



MAP FOR <b>David R. Heath</b>		
1" = 50'	AREA BY COORDINATES	SURVEY BY:
29 JAN 2020	PRECISION 1 : 10,000 +	DRAFTED BY:
Forsyth County Tax PIN 6858-83-3023 P/O 6858-82-4874, P/O 6858-82-3836		
COE FORESTRY & SURVEYING P.O. BOX 36 WALLBURG, NC 27373	F-01411 email: coeфор@gmail.com (336) 769-4673	JOB # 18088



Batten & Heath  
Family Dentistry

