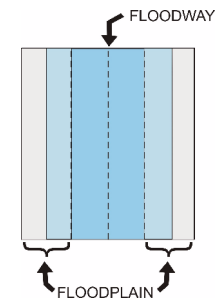


DOCKET #: W2875

PROPOSED ZONING:
LI-S (Multiple Uses)

EXISTING ZONING:
RS9

PETITIONER:
J. Norman Willard
and Ada Willard



SCALE: 1" represents 400'

STAFF: King

GMA: 3

ACRE(S): 7.35

MAP(S): 648842



September 20, 2006

J. Norman Willard and Ada Willard
2378 Union Cross Road
Winston-Salem, NC 27107-6418

RE: ZONING MAP AMENDMENT W-2875

Dear Mr. Willard & Ms. Willard:

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, FAICP
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102

ACTION REQUEST FORM

DATE: September 20, 2006
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Petition of J. Norman Willard and Ada Willard

SUMMARY OF INFORMATION:

Zoning Petition of Zoning Map Amendment of J. Norman Willard and Ada Willard from RS-9 to LI-S (Offices, Miscellaneous; Professional Office; Warehousing; Building Contractor, General; Building Contractor, Heavy; Transmission Tower; and Broadcast Studio); property is located on the west side of Cole Road north of US Highway 311 (Zoning Docket W-2875).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - SPECIAL USE

Zoning Petition of J. Norman Willard and Ada Willard, Docket W-2875

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 to LI-S (Offices, Miscellaneous; Professional Office; Warehousing; Building Contractor, General; Building Contractor, Heavy; Transmission Tower; and Broadcast Studio) the zoning classification of the following described property:

Tax Block 2645, Tax Lots 1B and 8B

Section 2. This Ordinance is adopted after approval of the site plan entitled J. Norman Willard and Ada Willard/Cornerstone Tower, LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, 20__ to J. Norman Willard and Ada Willard.

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 J. Norman Willard and Ada Willard/Cornerstone Tower, LLC. 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 J. Norman Willard and Ada Willard, (Zoning Docket W-2875). 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 LI-S (Offices, Miscellaneous; Professional Office; Warehousing; Building Contractor, General; Building Contractor, Heavy; Transmission Tower; and Broadcast Studio), approved by the Winston-Salem City Council the _____ day of _____, 20 ____" and signed, provided the property is developed in accordance with requirements of the LI-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 obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.
 - b. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department.
 - c. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
 - a. FAA approval shall be obtained.
 - b. State Plane Coordinates of the location of the tower shall be provided to the Planning Staff and Inspections Division.
 - c. This 400' foot tower shall be developed to allow collocation of at least two (2) additional cellular phone carriers. Verification of this requirement shall be made to the Inspections Division by affidavit submitted by the licensed Project Engineer for the transmission tower site or shown on a structural plan sealed by a licensed Professional Engineer (PE).
 - d. Developer shall dedicate a forty (40) foot greenway easement to the City of Winston-Salem along the portion of Fiddlers Creek located on the subject property.

- e. Developer shall allow the WSDOT the rights to place a traffic camera on the subject transmission tower, including any necessary conduit/easements from the right-of-way to the tower.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. All required conditions in the *Unified Development Ordinances* (UDO) for this use shall be met.
 - b. Developer shall complete all requirements of the NCDOT and WSDOT driveway permits.
- **OTHER REQUIREMENTS:**
 - a. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet.
 - b. Any on site lighting shall not exceed a maximum of 15 feet in height and shall be of the “cutoff” type or otherwise designed not to cast direct light on adjacent properties except necessary lighting of the tower, as dictated by FAA requirements.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT FOR: W-2875**

PETITION INFORMATION			
Docket #	W-2875		
Staff	Aaron King		
Petitioner(s)	J. Norman Willard and Ada Willard		
Owner(s)	Same		
Subject Property	Tax Lots 1B and 8B, Tax Block 2645		
Type of Request	Special use rezoning from RS-9 to LI-S for a transmission tower and two office buildings.		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 (Residential Single Family; 9,000 sf. lot size) to LI-S (Limited Industrial – Special Use Zoning). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Offices, Miscellaneous; Professional Office; Warehousing; Building Contractor, General; Building Contractor, Heavy; Transmission Tower; and Broadcast Studio 		
Zoning District Purpose Statement	The LI District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial and service activities which, in their normal operations, have little or no adverse effect upon adjoining properties. The district is established to provide locations for industrial development in Growth Management Areas 1, 2, 3, and 4, and activity centers.		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	The subject property is located within GMA 3 and should not adversely impact adjacent properties.		
GENERAL SITE INFORMATION			
Location	West side of Cole Road and north side of US 311		
Jurisdiction	City of Winston-Salem		
Ward(s)	Southeast		
Site Acreage	Approximately ± 7.35 acres		
Current Land Use	Single family home and undeveloped land		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	SF home & undeveloped land
	East	RS-9 & LI	Undeveloped land
	South	NA	US 311
	West	RS-9	Undeveloped land

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	The requested uses would be consistent with the existing LI zoning in the area.			
Physical Characteristics	The subject property slopes down from west (+/- 846 ft) to east (+/- 788 ft). A tributary of Fiddlers Creek runs along the northern property line of the site.			
Proximity to Water and Sewer	The subject property has access to public water and public sanitary sewer.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The subject property is not located within a water supply watershed.			
Analysis of General Site Information	The subject property contains 7.35 acres and is located at the northwest quadrant of US 311 and Cole Road. The property slopes down from west to east and contains a tributary of Fiddlers Creek adjacent to the northern property line. The site plan proposes an 8,000 square foot storage and tower service building along with a 400' tall transmission tower which would be located on the western half of the site. The proposed grades for this portion of the site will help to screen the storage building from US 311 and surrounding properties. The site poses no development issues.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>			
	<ul style="list-style-type: none"> • Condition for stormwater study • Condition for greenway easement 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Cole Road	Minor Thoroughfare	+/- 243 feet	3,100	11,100
Proposed Access Point(s)	The site plan proposes one access point onto Cole Road.			
Planned Road Improvements	The Thoroughfare Plan recognizes this portion of Cole Road as adequate.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS-9</u> $7.35 \times 43,560 / 9,000 = 35 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 334 \text{ Trips per Day}$ <u>Proposed Zoning: LI-S</u> $9,937 / 1,000 \times 11.01 \text{ (General Office Trip Rate)} = 109 \text{ Trips per Day}$			
Sidewalks	None existing			
Transit	No			
Traffic Impact Study (TIS)	Not required			

Analysis of Site Access and Transportation Information	The subject request does not appear to present any negative transportation issues. Approval of this request would allow for a decrease in proposed trip generation from 334 trips/day to 109 trips/day. The site plan proposes one access point onto Cole Road located near the northeast corner of the property. A proposed 20' wide drive would provide access to the storage/office buildings and transmission tower.					
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>					
	<ul style="list-style-type: none"> • Obtain NCDOT driveway permit • Obtain City of Winston-Salem driveway permit 					
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA	GMA 3 (Suburban Neighborhoods)					
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • Legacy promotes economic development which is compatible with existing neighborhoods and other business developments. 					
Relevant Area Plan(s)	The subject property is not located within the boundaries of an area plan or development guide.					
Greenway Plan Information	The site is located along a tributary of Fiddlers Creek. Staff recommends the dedication of a 40' wide greenway easement (within the site's boundaries) along this tributary.					
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?					
	No					
	(S)(4) - Is the requested action in conformance with Legacy?					
	Yes					
Analysis of Conformity to Plans and Planning Issues	The request is in conformance with the general recommendations of Legacy. The general area near the intersection of US 311 and Cole Road is fairly undeveloped and contains only a few scattered single family homes. Staff feels that, given the limited amount of development currently existing and the minimal potential impacts to surrounding properties, LI-S zoning would be suitable at this location.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2786	RS-9 to RM-8-S	Denied 10-24-05	Included portion of subject property	39.35 acres	Approval	Approval
F-1422	RS-9 to LI	Approved 2-14-05	Southeast	2.5 acres	Approval	Approval
W-2560	RS-9 to RM-12-S (Residential Building, Multifamily and Child Day Care Center)	Approved 8-5-02	North/ Northwest	5.68 acres	Approval	Approval

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	9,937 sf		NA
Parking	Required	Proposed	Layout
	15 spaces	17 spaces	90° head-in adjacent to buildings
Building Height	Maximum		Proposed
	70 feet		1-story
Impervious Coverage	Maximum		Proposed
	90%		14%
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.4(A) LI District 		
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:	Yes	
	(B) Environmental Ord.	Yes	
	(C) Subdivision Regulations	NA	
Analysis of Site Plan Compliance with UDO Requirements	The site plan proposes a 400' tall transmission tower and an 8,000 square foot storage building. It also identifies the existing one-story house to remain and be used for administrative offices. The transmission tower and the storage building will be located on the western half of the site.		
Generalized Recommended Conditions	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> Condition to obtain FAA approval Condition to provide State Plane coordinates to Planning Staff Condition to allow collocation Condition to meet all UDO requirements for transmission towers Signage condition Lighting condition 		
REMAINING SITE PLAN ISSUES			
Issue		Status	
Provide T-turnaround		Awaiting revised site plans	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION			
Positive Aspects of Proposal		Negative Aspects of Proposal	
The request is in conformance with the recommendations of <i>Legacy</i> .		This request may encourage more industrial zoning on the west side of Cole Road.	
This request should not pose any negative transportation issues.			
The site is bordered by thoroughfares on two sides and undeveloped land, limiting the potential for unwanted impacts.			

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

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STAFF RECOMMENDATION: APPROVAL

NOTE: These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **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.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

SECOND: Clarence Lambe

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning

