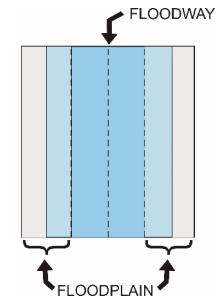


DOCKET #: W2924

PROPOSED ZONING:
Special Use Permit

EXISTING ZONING:
GI

PETITIONER:
Robert and Eula Long
for property owned by
Same



SCALE: 1" represents 400'

STAFF: King

GMA: 2

ACRES: 4.11

NEAREST BLDG: 165' west

MAP(S): 642854

F

April 25, 2007

Robert and Eula Long
P. O. Box 193
Bethania, NC 27010

RE: ZONING MAP AMENDMENT W-2924

Dear Mr. & Mrs. Long:

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
Charles Long, P. O. Box 117, Bethania, NC 27010

ACTION REQUEST FORM

DATE: April 25, 2007
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on Special Use Permit of Robert and Eula Long

SUMMARY OF INFORMATION:

Special Use Permit of Robert and Eula Long for the establishment of an Asphalt or Concrete Plant in the GI zoning district: property is located on the north side of Lowery Street, east of Hicks Street (Zoning Docket W-2924).

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 PERMIT

Special Use Permit of Robert and Eula Long,
Docket W-2924

AN ORDINANCE ISSUING A SPECIAL USE
PERMIT FOR an Asphalt or Concrete Plant in the
GI zoning district

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The City Council hereby makes an affirmative finding as follows, based upon the material and competent evidence presented at the public hearing:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved;
2. That the use meets all required conditions and specifications;
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and,
4. That the location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with *Legacy*.

Section 2. The Winston-Salem City Council hereby issues a special use permit for an Asphalt or Concrete Plant in the GI zoning district in accordance with Section 6-1.5 of the Zoning Ordinance of the *Unified Development Ordinances* to Robert and Eula Long to be established on the following described property:

Tax Block 3268, Tax Lot 048H

Section 3. This Ordinance is adopted after approval of the site plan entitled Falcon Ready Mix Concrete Co., Inc./Robert and Eula Long and identified as Attachment "A" of the Special Use Permit issued by the City Council the _____ day of _____, 20____ to Robert and Eula Long

Section 4. The City Council hereby directs the issuance of a Special Use Permit pursuant to Section 6-1.5 of the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Falcon Ready Mix Concrete Co., Inc./Robert and Eula Long. Said Special Use Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 5. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE PERMIT

SPECIAL USE 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 Permit for the site shown on the site plan map included in this zoning petition of Robert and Eula Long, (Zoning Docket W-2924). The site shall be developed in accordance with the plan approved by the Council and bearing the inscription: "Attachment A, Special Use Permit for an Asphalt or Concrete Plant in the GI zoning district, approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of Section B.6-1.5 of the Zoning Ordinance of the *Unified Development Ordinances*, 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 City of Winston-Salem Public Works Department; improvements shall include:
 - Widening Lowery Street 13' from the centerline with curb and gutter along the subject property frontage.
 - b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem.
 - c. Developer shall submit sealed drawings to the Inspections Division for all retaining walls.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Developer shall repair any damage from construction to City streets.
 - b. All requirements of the driveway permit shall be completed.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-2924		
Staff	Aaron King		
Petitioner(s)	Robert and Eula Long		
Owner(s)	Same		
Subject Property	Tax Lot 48H, Tax Block 3268		
Type of Request	Special Use Permit for an Asphalt or Concrete Plant in the GI district.		
Proposal	The petitioner is requesting a Special Use Permit for an Asphalt or Concrete Plant in the GI district.		
Zoning District Purpose Statement	The GI District is primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities. The district is established for the purpose of designating appropriate locations and establishing development regulations for uses which may have significant environmental impacts or which require special measures to ensure compatibility with adjoining properties. The district is established to provide locations for major developments in Growth Management Areas 1, 2, and 3.		
GENERAL SITE INFORMATION			
Location	North side of Lowery Street, east of Hicks Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	East		
Site Acreage	Approximately ± 4.11 acres		
Current Land Use	Undeveloped land		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	GI	Business I-40 and undeveloped land
	East	GI	Industrial building
	South	GI	Engineering and manufacturing operation
	West	GI	Industrial building
Physical Characteristics	The western half of the site slopes down from east (+/- 840 feet) to west (+/- 810 feet). The eastern portion of the site is relatively flat. Brushy Fork Creek forms the western boundary of the petition site. The stream flows south across Lowery Street to a pond designated as a wetland.		
Proximity to Water and Sewer	The site has access to public water and public sanitary sewer.		
Stormwater/ Drainage	A stormwater study will be required.		
Watershed and Overlay Districts	The subject property is not located within a water supply watershed. It is located within a Thoroughfare Overlay (TO) district.		

Analysis of General Site Information	The eastern portion of the site contains a relatively flat topography and will contain the majority of proposed improvements to the site. Some filling will need to occur on the western portion of the site to accommodate the proposed access drive. 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 sealed drawings of retaining walls 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Lowery Street	Local Road	+/- 671 feet	NA	NA
Proposed Access Point(s)	The site plan proposes one access point onto Lowery Street.			
Planned Road Improvements	None noted			
Trip Generation - Existing/Proposed	<u>Proposed Asphalt and Concrete Plant</u> No trip generation numbers available for this use.			
Sidewalks	None existing			
Traffic Impact Study (TIS)	Not required			
Analysis of Site Access and Transportation Information	The subject property is located on Lowery Street which is designated as a local road. The UDO requires that Asphalt and Concrete Plants be located on a major or minor thoroughfare or that alternative locations be approved by WSDOT. After reviewing this request, WSDOT has noted that this location is adequate for this land use as related to transportation issues. It is difficult to determine the number of trips that will be generated by this request because the ITE (Institute of Transportation Engineers) manual does not list a trip rate for Asphalt or Concrete Plants.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>			
	<ul style="list-style-type: none"> • Condition for City of Winston-Salem driveway permit • Condition to repair any damage to City streets 			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	GMA 2 (Urban Neighborhoods)			
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • Recognize the scarcity of “greenfield” industrial sites and promote the wisest economic use of those limited resources. 			
Relevant Area Plan(s)	The subject property is not located within an area covered by an adopted area plan or development guide. It is located within the area covered by the future Northeast Area Plan, which is currently in process.			
Greenway Plan Information	The site plan proposes a 40’ greenway easement along the creek on the western portion of the site.			
Special Use Permit Findings	<u>Planning Board Findings</u> The UDO requires that any favorable recommendation by the Planning			

	<p>Board shall include the following findings: [Note: Answers in italics indicate the preliminary opinion of staff without the benefit of testimony and evidence given at the public hearing.]</p> <ol style="list-style-type: none"> 1. The development is in conformity with <i>Legacy</i>; <i>Yes</i> 2. Water and sewer service are available in adequate capacity; <i>Yes</i> 3. Where buildings greater than thirty-five (35) feet in height are proposed within the City of Winston-Salem limits, there is adequate access for aerial fire-fighting equipment; <i>Yes</i> 4. Streets and highways, both within and in the vicinity of the development, are of such design and traffic-carrying capacity that the development will not create a traffic hazard; <i>Yes</i> 5. General layout and design of the development meet all requirements of this Ordinance; <i>Yes</i> 6. Adequate, safe, and convenient provision is made for vehicular and pedestrian movement on the site with particular attention paid to the needs of public safety equipment and personnel (fire, police, etc.) and service vehicles and personnel (sanitation, postal delivery, etc.); <i>Yes</i> 7. The Planning Board may recommend to the Elected Body conditions as identified in Section B.6-1.3(A)(1) for the issuance of the special use permit to reduce impacts associated with the project. <p><u>Elected Body Findings</u> The Elected Body shall issue a special use permit only when the Elected Body makes affirmative findings on the following:</p> <ol style="list-style-type: none"> 1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved; <i>Yes</i> 2. That the use meets all required conditions and specifications; <i>Yes</i>
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	<p>3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; <i>Yes; and</i></p> <p>4. That the location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with <i>Legacy</i>. <i>Yes</i></p>					
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 <i>Legacy</i>?					
Yes						
Analysis of Conformity to Plans and Planning Issues	<p>In staff's opinion, the subject request meets the findings of fact contained in the UDO. However, public testimony at the public hearing may reveal issues that could change those findings. It may be desirable to add additional berming and planting along the eastern and southeastern edges of the site, as this is an entry point to the Lowery Street Business Park. The request is also consistent with the recommendations of <i>Legacy</i>. Given the surrounding GI zoning, staff views this as a suitable location for this industrial use. This location's proximity to other GI land and its location adjacent to Interstate 40 Business help to minimize any potential adverse impacts.</p>					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
No relevant zoning histories						
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage			Placement on Site		
	4,000 sf			Approximate middle		
Parking	Required	Proposed		Layout		
	7 spcaes	7 spaces		90° head-in		
Building Height	Maximum			Proposed		
	70/unlimited			Proposed silo will be 69.8 feet		
Impervious Coverage	Maximum			Proposed		
	100%			24.1%		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-5.8 Use Conditions 					
Complies with Chapter B,	(A) <i>Legacy</i> policies:			Yes		
	(B) <i>Environmental Ord.</i>			Yes		

Article VII, Section 7-5.3	(C) Subdivision Regulations	NA
Analysis of Site Plan Compliance with UDO Requirements	The site plan does meet UDO requirements and staff is awaiting revisions to show the TO district along the Interstate 40 Business ramp. Specifically, the site and site plan meet the requirements for separation between operations and surrounding uses, buffering, and fencing listed in Section 2-5.8 (Asphalt and Concrete Plant in the GI district).	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
The request meets the required findings of fact as specified in the UDO.		Approval of this request would place a very intense use in a visible location from Interstate 40 Business.
The property is part of a larger area currently zoned GI.		The request may create some unwanted impacts such as noise, odor, and dust.
The site is located adjacent to an interchange with Business I-40.		Nearby businesses in the Lowery Street Business Park may see another asphalt/concrete plant as having a negative effect on its viability as a business park.
The general area does not contain a large amount of residentially zoned property.		
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.		
<u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u>		
<ul style="list-style-type: none"> a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department; improvements shall include: <ul style="list-style-type: none"> • Widening Lowery Street 13' from the centerline with curb and gutter along the subject property frontage. b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. c. Developer shall submit sealed drawings to the Inspections Division for all retaining walls. 		
<u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u>		
<ul style="list-style-type: none"> a. Developer shall repair any damage from construction to City streets. b. All requirements of the driveway permit shall be completed. 		

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 special use permit, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Clarence Lambe

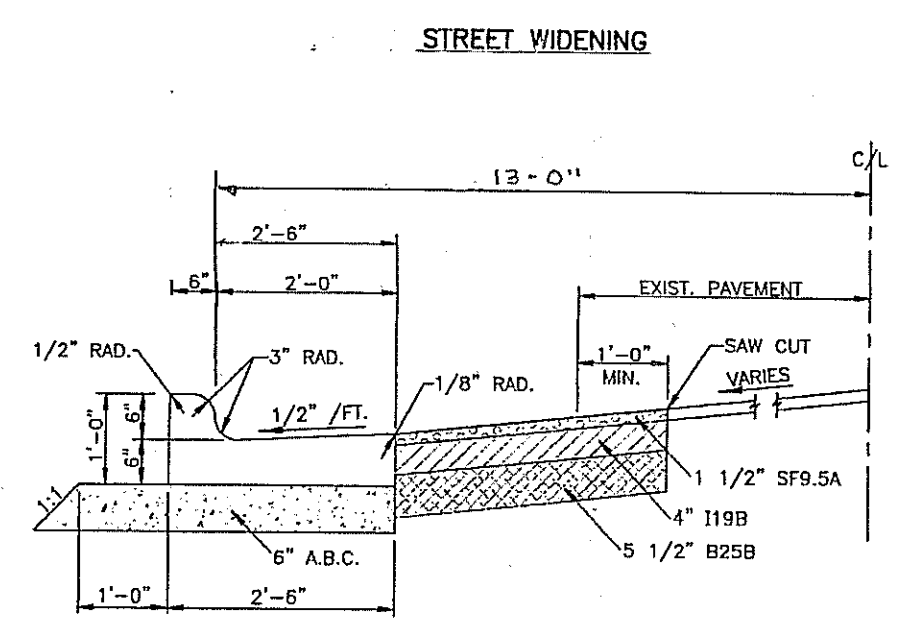
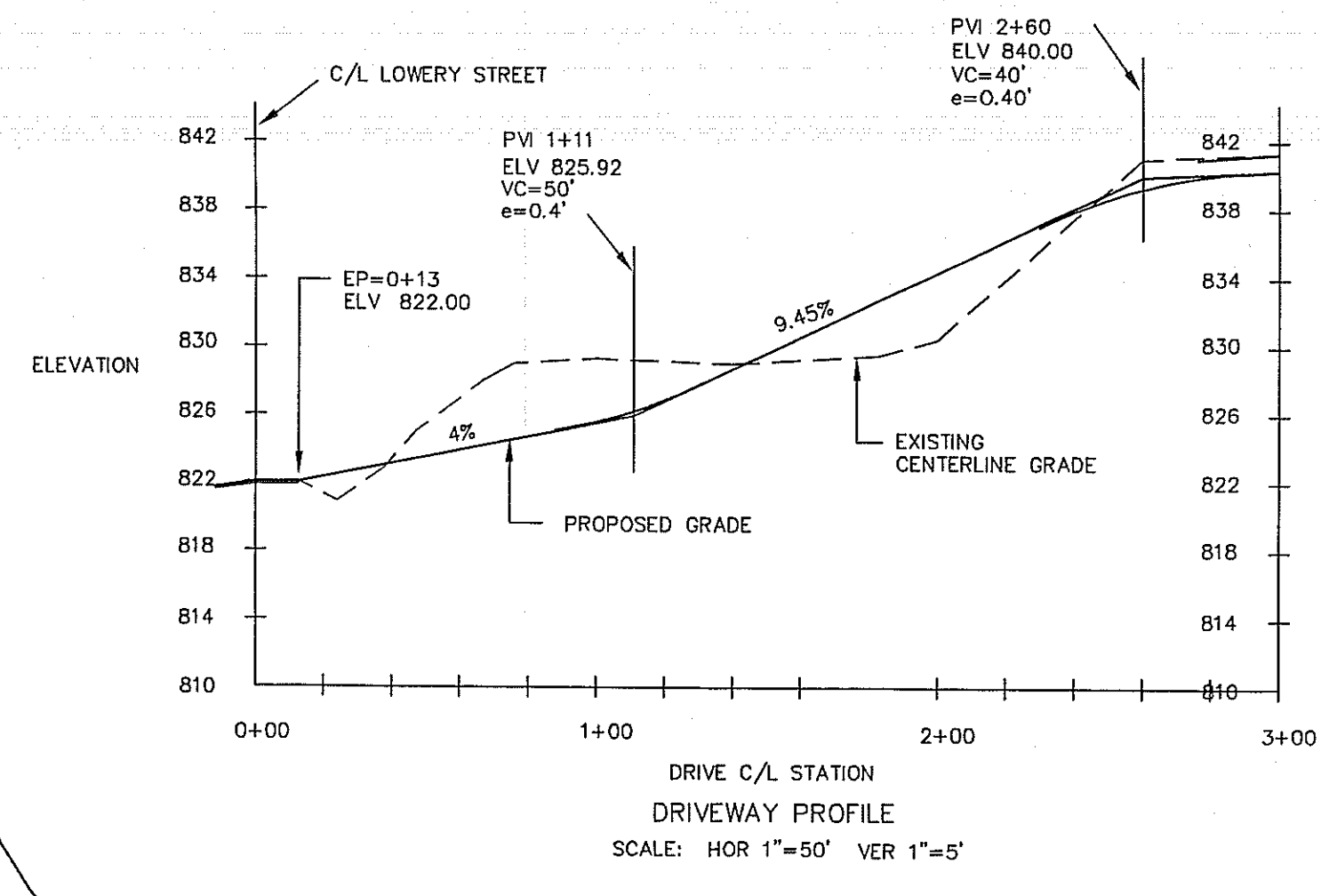
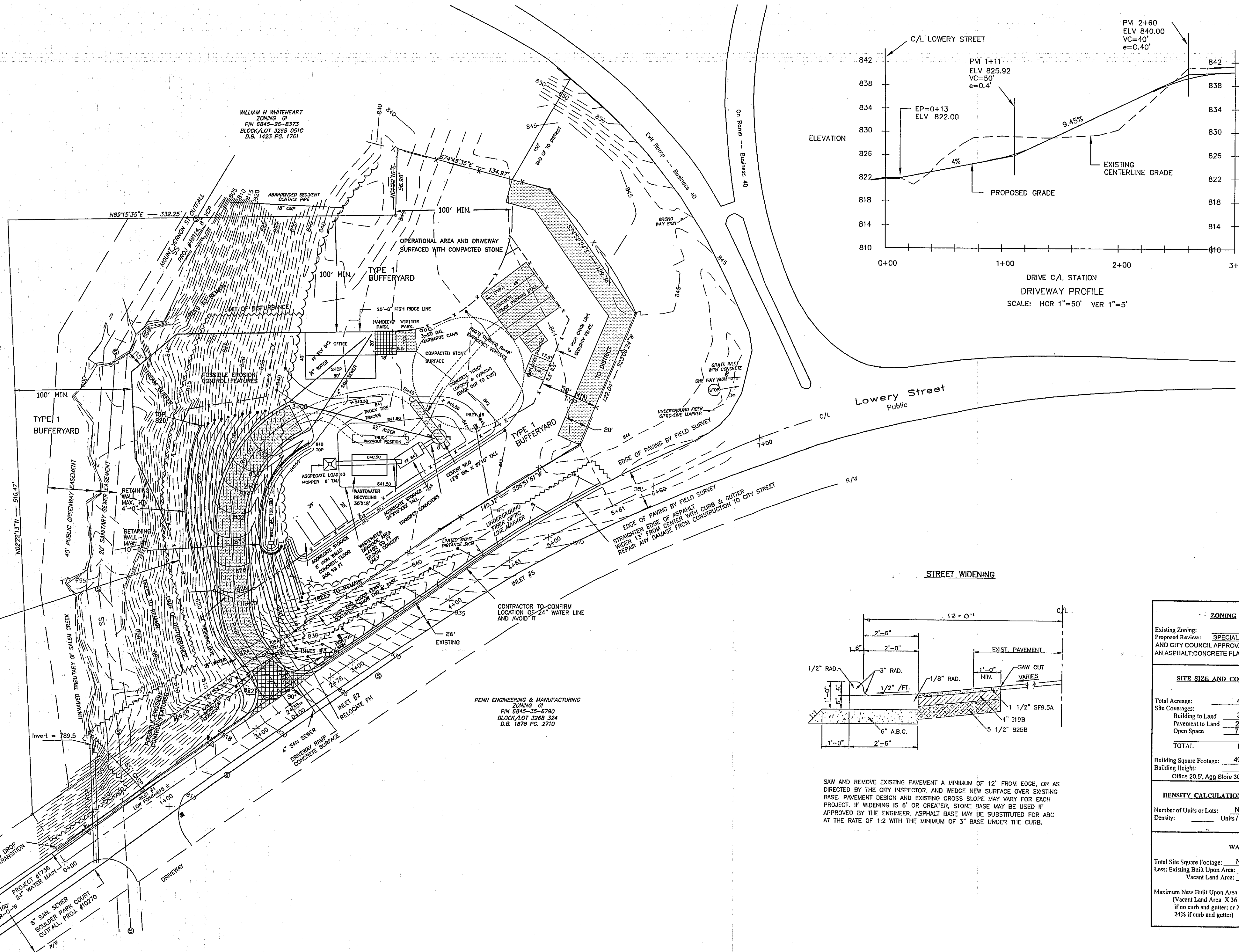
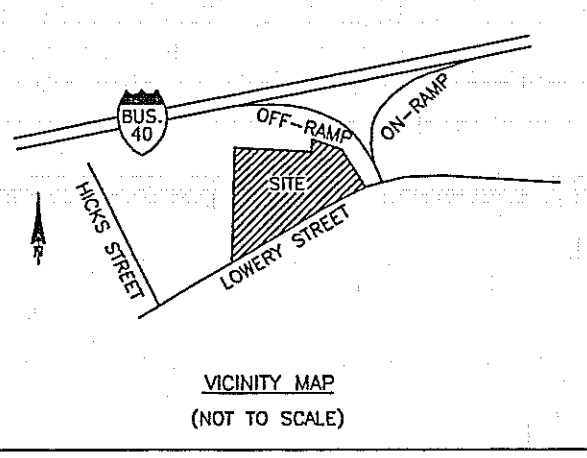
VOTE:

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



SITE PLAN LEGEND

ZONING Existing Zoning: GI Proposed Zoning: SPECIAL USE PERMIT AND CITY COUNCIL APPROVAL TO CONSTRUCT AN ASPHALT-CONCRETE PLANT	OFF-STREET PARKING (if applicable) Proposed Use(s): EMPLOYEE PARKING Required Parking: 7 Spaces / EMP (may be more than one calculation required) Parking Provided: 7 Spaces
SITE SIZE AND COVERAGE Total Acreage: 4.11 Acre(s) Site Coverages: Building to Land: 3.4 % Pavement to Land: 20.7 % Open Space: 75.9 % TOTAL: 100 % Building Square Footage: 4000 Sq. Ft. Building Height: 6 Ft. Office 20.5', App Store 30', Silo 69.6'	OFF-STREET LOADING (if applicable) Required Loading/Unloading Spaces: N.A. Loading/Unloading Spaces Provided: Size: _____ Ft. X _____ Ft.
DENSITY CALCULATIONS (if applicable) Number of Units or Lots: N.A. Units/Lots Density: _____ Units / Acre or Lots / Acre	OTHER INFORMATION OR NOTES PUBLIC WATER: X SEWER: X STREETS: X
WATERSHED CALCULATIONS (if applicable) Total Site Square Footage: N.A. Sq. Ft. Less: Existing Built Upon Area: _____ Sq. Ft. Vacant Land Area: _____ Sq. Ft. Maximum New Built Upon Area (Vacant Land Area X 36 % if no curb and gutter, or X 24% if curb and gutter): _____ Sq. Ft.	

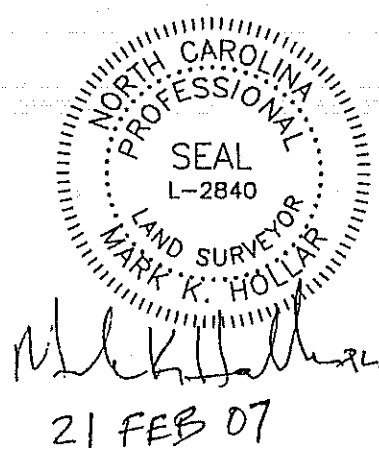
THIS IS NOT A BOUNDARY SURVEY. THE BOUNDARIES, STORM SEWER, SANITARY SEWER AND WATER UTILITIES ARE PLOTTED FROM A PLAT OF SURVEY DATED MAY 10, 2006 BY KENT J. FRANKLIN, PLS. THE BEARINGS AND DISTANCES SHOWN ALONG THE BOUNDARIES ARE AS THEY APPEAR ON SAID PLAT BUT THE BEARINGS HAVE BEEN ROTATED COUNTER-CLOCKWISE 4°00'00" TO AGREE WITH NC GRID.

THIS PLAT ORIGINALLY ISSUED AND SEALED BY MARK K. HOLLAR, PLS 2840 ON 21 FEBRUARY 2007. THIS MEDIA SHALL NOT BE CONSIDERED A CERTIFIED DOCUMENT.

I, Mark K. Hollar, certify that this plat was drawn under my supervision from an actual survey performed under my supervision, that the basic Positioning System (GPS) observations were performed in the horizontal Positioning Accuracy Standard, Part 2, Standards for Geospatial Information Systems, and that the vertical observations were performed using the National Vertical Datum, NAVD83.

This survey is tied to the North Carolina State Plane Coordinate System. All coordinates are given in U.S. Survey Feet using the conversion from the International Meter of [Feet = Meters * (0.3048 / 1.25)] All bearings are oriented to N.C. Grid. All distances shown are Grid measurements.

The combined factor for this parcel is 0.99994633



Plot of Topographic Survey for
Falcon Ready Mix
Concrete Company, Inc.

Hollar & Associates, PA
SURVEYORS
104 NORTH JACKSON STREET PO BOX 656 YADKINVILLE, NC 27055
336-679-8033 (FAX) 336-679-8604

APPROX. LOCATION: 2305 Lowery St.

FIELD PERSONNEL: man,emb,mkh	PROJECT: 4043.1-07
DRAWN BY: mkh	DRAWING NO.: 4043P1
Date of survey: 16 FEB 2007	SHEET NO. 1 of 1
Precision of Closure: 1:10000+	
Scale: 1"=40'-ft.	
Contour Interval: 1'-ft.	

25 0 50 100 150
GRAPHIC SCALE 1" = 50'

DEACON PROPERTIES
ZONING GI
PIN 6845-26-7080
BLOCK/LOT 3288 106
D.B. 1920 PG. 2145

RADIUS=500'
FROM RESIDENTIAL
ZONE LINE ON
HICKS STREET

PENN ENGINEERING & MANUFACTURING
ZONING GI
PIN 6845-35-8790
BLOCK/LOT 3288 324
D.B. 1870 PG. 2710

GRADING PERMIT REQUIRED. REVIEW AND APPROVAL BY CITY STORMWATER PRIOR TO GRADING PERMIT. SUBMIT SEALED RETAINING WALL PLANS PRIOR TO GRADING PERMIT. TREE PLANTINGS ON SLOPES REQ'D PER UDO.

PURPOSE STATEMENT
THE PURPOSE OF THIS REQUEST IS FOR A SUP FOR A CONCRETE PLANT.

PARKING

VEHICLE	STALL SIZE	TABLE WIDTH	NO. SPACES
CONC TRUCK	12x48	MIN. 75	5
CARS	8.5x17.5	MIN. 40	6
HANDICAP	18x20	MIN. 70	1

IMPERVIOUS AREA

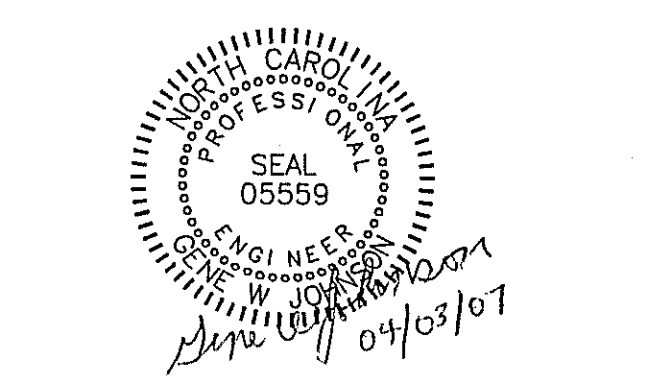
OFFICE/SHOP	2400 SQ FT
PLANT EGPY	700
AGGREGATE STORAGE	900
HANDICAP PARKING	360
ENTRANCE RAMP	1800
TOTAL IMPERVIOUS	5960 SQ FT=0.14 ACRE

OTHER AREA
COMPACTED STONE PAVEMENT 37060 SQ FT=0.85 ACRE

CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING UTILITIES PRIOR TO START OF CONSTRUCTION.

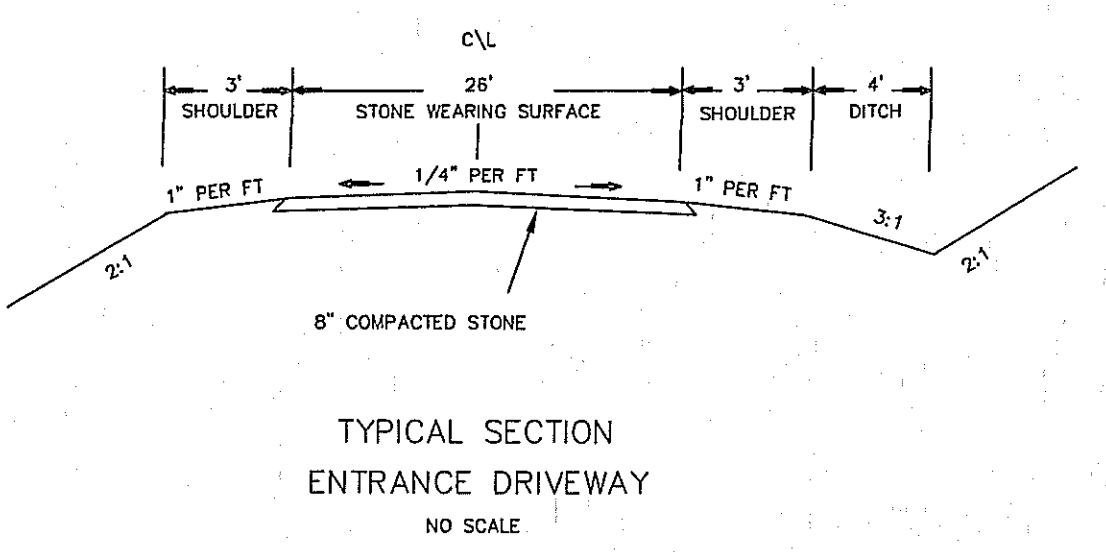
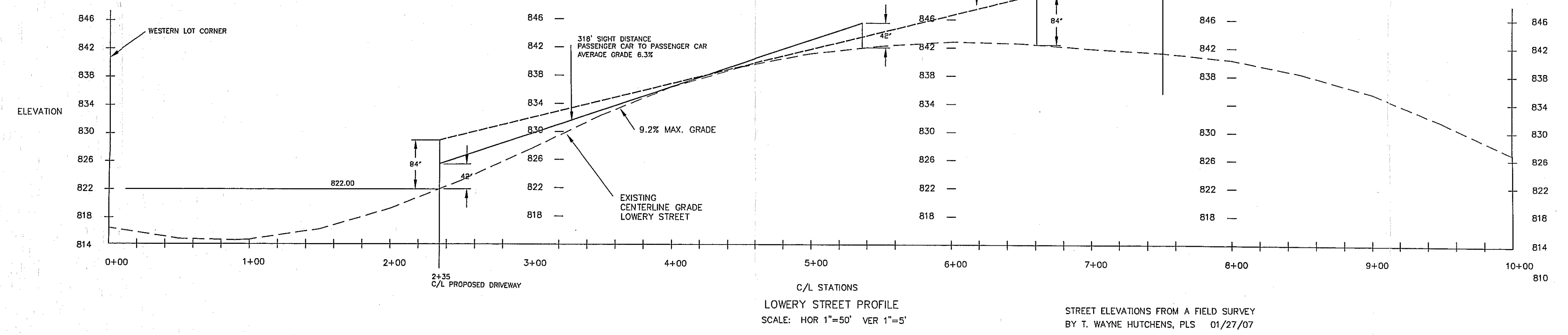
PIN 6845-35-2174
TAX BLOCK 3288 LOT 048H
2305 LOWERY STREET
WINSTON-SALEM, NC
DEED BOOK 2661, PAGE 1367
ROBERT H. LONG AND WIFE
EULA GRAY SHORE LONG
P. O. BOX 192
BETHANIA, NC 27010
OWNER CELL PHONE 336-972-0848
FAX 336-679-8100
E-MAIL: long@att.net/blackberry.com

PRELIMINARY
NOT FOR CONSTRUCTION



FALCON READY MIX CONCRETE
COMPANY, INC.
SITE PLAN

Date: 04-03-07	GENE W. JOHNSON & ASSOCIATES CIVIL ENGINEERS 1421 Pinecrest Road Winston-Salem, NC 27104 (336) 768-4103	Job No.
Engineer: GWJ		Sheet 1 of 1



W-2924
ZONING FILE COPY