

DOCKET #: W2933

PROPOSED ZONING:
LI-S

EXISTING ZONING:
RS9

PETITIONER:
City/County Utilities
Commission for property
owned by City of Winston-Salem

SCALE: 1" represents 400'

STAFF: Beckom

GMA: 3

ACRES: 0.7

**NEAREST
BLDG:** 15' southwest

MAP(S): 612894

June 29, 2007

City-County Utilities Commission
P. O. Box 2511
Winston-Salem, NC 27102

RE: ZONING MAP AMENDMENT W-2933

Dear Sirs:

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
Terry Cornett, P. O. Box 2511, Winston-Salem, NC 27102

ACTION REQUEST FORM

DATE: June 29, 2007
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Map Amendment of the City/County Utilities Commission for property owned by the City of Winston-Salem

SUMMARY OF INFORMATION:

Zoning Map Amendment of the City/County Utilities Commission for property owned by the City of Winston-Salem from RS-9 to LI-S (Utilities; and Transmission Tower): property is located on the east side of Bethania-Rural Hall Road, south of Mizpah Church Road (Zoning Docket W-2933).

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 City/County Utilities Commission
for property owned by the City of Winston-Salem,
Docket W-2933

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 (Utilities; and Transmission Tower) the zoning classification of the following described property:

Tax Block 4969, Tax Lot 020T

Section 2. This Ordinance is adopted after approval of the site plan entitled City/County Utilities Commission and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, 20__ to City/County Utilities Commission for property owned by the City of Winston-Salem.

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 City/County Utilities Commission. 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 City/County Utilities Commission for property owned by the City of Winston-Salem, (Zoning Docket W-2933). 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 (Utilities; and Transmission Tower), 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 ISSUANCE OF ANY PERMITS:**
 - a. Obtain a driveway permit form NCDOT
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. All requirements of the driveway permit shall be completed.
 - b. Dedicate 35 feet from center line on NC 65 as public right-of-way.
 - c. Developer shall contact city DOT regarding conduit access to the tower for the installation of a traffic monitoring television camera.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-2933		
Staff	Jesse Beckom III		
Petitioner(s)	City/County Utility Commission		
Owner(s)	Woodland Baptist Church		
Subject Property	Tax Lot 020T/Tax Block 4969		
Type of Request	Special Use Rezoning		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 to LI-S. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Installation of a 150 ft. tall transmission tower to allow integration of existing, on-site pump station into overall utilities systems controls. <p>NOTE: Both general and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.</p>		
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 GMAs 1, 2, 3 and 4 and Metro 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)?		
	Yes, the proposal is consistent with the purpose statement and is located in the appropriate area.		
GENERAL SITE INFORMATION			
Location	East side of Bethania – Rural Hall Road South of Mizpah Church Road		
Jurisdiction	Winston-Salem		
Ward(s)	North		
Site Acreage	Approximately ± 0.7 acre		
Current Land Use	Site is currently used by the City of Winston-Salem City/County Utilities Commission as a pumping station		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	N	RS-9 and HB-S	Landscaping Supplier
	S	RS-9	Undeveloped Land
	E	LI	Undeveloped Land
	W	RS-20	Planned Residential Development (PRD)

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?			
	Yes, the proposed use is permitted under the LI-S classification and is compatible with other properties in the vicinity			
Physical Characteristics	The site is already developed and is the location of the Number 65 East Pumping Station			
Proximity to Water and Sewer	The subject property will be served by public water and public sanitary sewer			
Stormwater/ Drainage	No known issues			
Analysis of General Site Information	This site appears to be adequate for development allowed in the requested LI-S District			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Bethania Rural hall Road HWY 65	Major	162'	N/A	16,100
Proposed Access Point(s)	Site proposes one access point onto Bethania Rural Hall Road			
Planned Road Improvements	The Thoroughfare Plan recommends Bethania-Rural hall Road to be a three lane major thoroughfare with three lanes, curb and gutter, widened outside lanes, and sidewalks			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS-9</u> $.7 \times 43,560 / 9,000 = 3 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 32$ <u>Proposed Zoning LI-S</u> $.7 \times 43,560 / 10,000 = 3 \text{ units} \times 6.97 \text{ (LI Trip Rate)} = 10$			
Sidewalks	No sidewalks are located in the general area			
Transit	Not Available			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	Growth Management Area 3, Suburban Neighborhoods			
Relevant Legacy Recommendations	<ul style="list-style-type: none"> This area has the most undeveloped land where much of the future residential, commercial and industrial development should occur. This area is appropriate for future urban and suburban development. (p. 30) 			
Relevant Area Plan(s)	<i>North Suburban Area Plan</i>			
Area Plan Recommendations	<ul style="list-style-type: none"> The North Suburban Area Plan recommends this site for industrial use. 			

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	The subject property is located within the North Suburban Area Plan which recommends the area for industrial zoning. <i>Legacy</i> recommends GMA 3 Suburban Neighborhoods as ideal for future residential, commercial and industrial development. The property is directly accessed off Bethania-Rural Hall Road with available sewer and water. The subject property is owned by the City/County Utility Commission and is located on land that will be acquired by the future Beltway Project. However, unlike in most cases, rezoning the subject property to a more intensive use will not increase the acquisition cost of the property. But it may not be a wise expenditure by the City/County Utility Commission. The property is adjacent to LI to the east, RS-9 and HB-S to the north, RS-9 to the south, and RS-20 to the west. The proposed LI-S is compatible with the surrounding zoning districts and the recommendations of <i>Legacy</i> .					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-811	R-6 to B-3-S (HB-S)	Denied 09-08-86	North	16.71	Denial	Denial
F-932	R-6 & B-3-S to B-3-S (HB-S)	Approval 08-14-89	North	.987	Approval	Approval
F-1090	RS-9 to LI	Approval 02-13-95	East	45.12	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	1,280'		Approximate Middle			
Units (by type) and Density	One 150' Transmission Tower					
Parking	Required	Proposed		Layout		
	2	2		N/A		
Building Height	Maximum			Proposed		
	N/A			150'		
Impervious Coverage	Maximum			Proposed		
	90% (27,442')			13.2% (4,024')		

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed zoning to LI-S District is compatible with the surrounding zoning, <i>Legacy</i> and the North Suburban Area Plan.	Allows for expenditures of money in an area to be acquired by the Beltway.
The proposed zoning will allow for essential communication between pumping stations.	
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 ISSUANCE OF ANY PERMITS:</u>	
a. Obtain a driveway permit form NCDOT	
<u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u>	
a. All requirements of the driveway permit shall be completed.	
b. Dedicate 35 feet from center line on NC 65 as public right-of-way.	
c. Developer shall contact city DOT regarding conduit access to the tower for the installation of a traffic monitoring television camera.	

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

SECOND: Jerry Clark

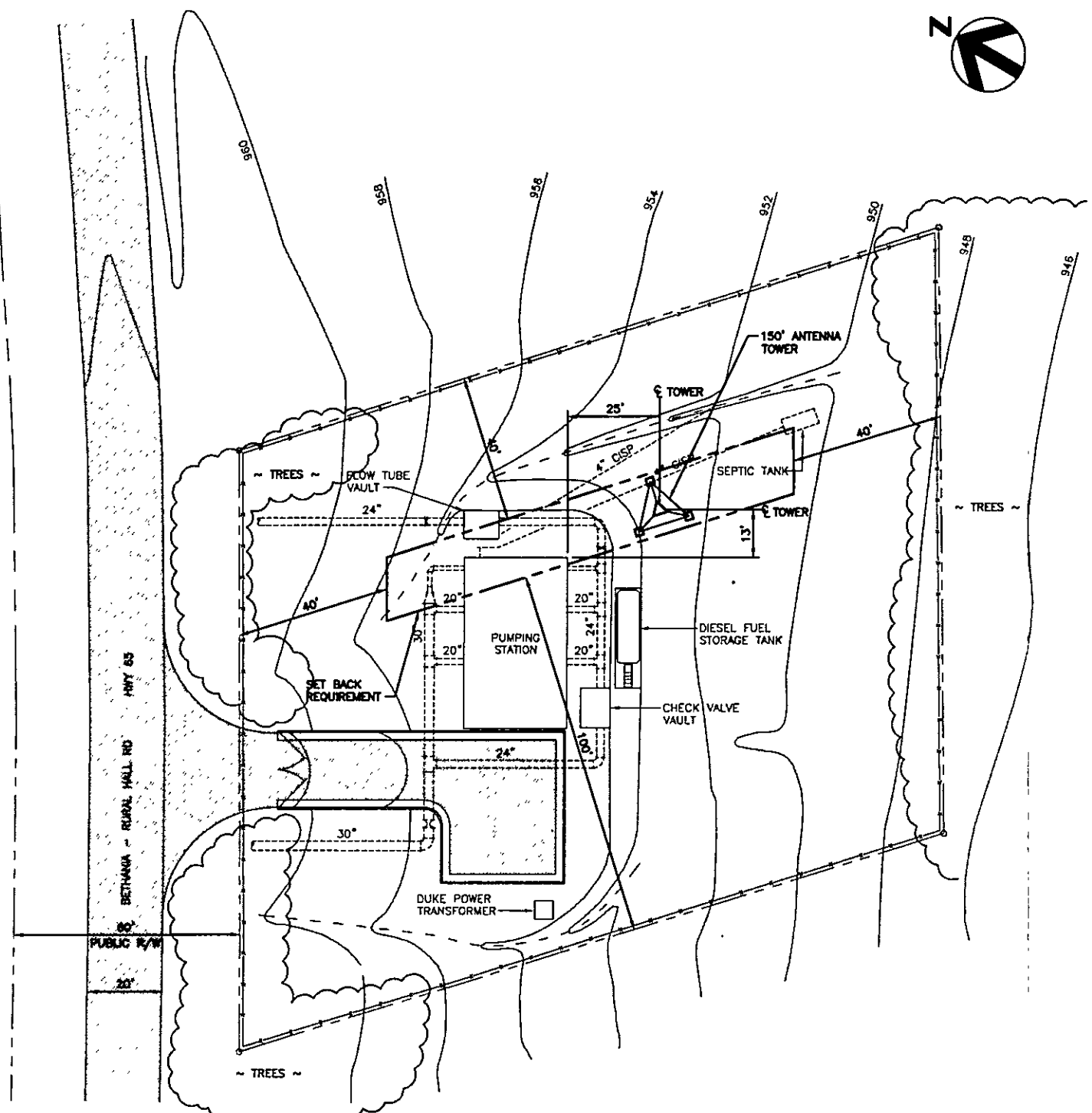
VOTE:

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

AGAINST: None

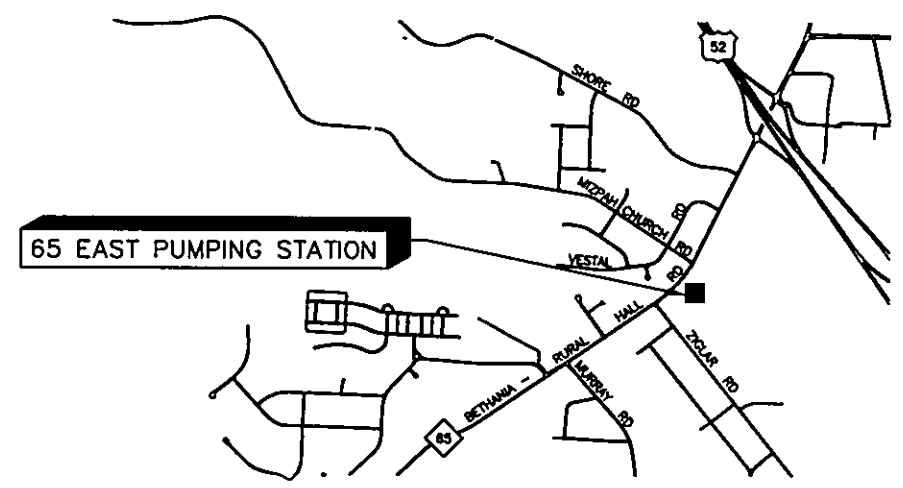
EXCUSED: None

A. Paul Norby, FAICP
Director of Planning



SUBJECT PROPERTY

PIN: 6819-45-2499
TAX BLOCK/LOT: 4969/020T
DEED BOOK/PAGE: 1396/303



LOCATION MAP



ADJACENT PROPERTY INFORMATION	
PROPERTY 1	PROPERTY 2
PIN: 6819-45-7945	PIN: 6819-45-2309
TAX BLOCK/LOT: 4969/020U	TAX BLOCK/LOT: 4969/019A
DEED BOOK/PAGE: N/A	DEED BOOK/PAGE: N/A
OWNER: WOODLAND BAPTIST CHURCH	OWNER: JOHN W. VERNON
ZONE: LI	ZONE: RS9

OWNER:	CITY OF WINSTON-SALEM CITY/COUNTY UTILITIES COMMISSION PO BOX 2511 WINSTON-SALEM, NC 27102	TEL. (336) 727-8418 FAX. (336) 727-8432
APPLICANT:	SEE OWNER INFORMATION	
PREPARER:	GLENDON FETTEROLF, PE 128 S TRYON STREET, SUITE 1400 CHARLOTTE, NC 28202	TEL. (704) 338-6700 FAX. (704) 338-6760

LEGEND	SITE PLAN NOTES
TOTAL ACREAGE: 0.7	1. NO STREAMS OR STREAM BUFFERS ARE LOCATED ON OR NEAR PROPERTY.
FRONTAGE: 162 FEET	2. NO DRAINAGEWAYS OR FLOODWAY/FRINGE AREAS ARE ON OR NEAR PROPERTY.
PERCENT OF LAND THAT IS:	3. NO NEW BUILDINGS ARE PROPOSED.
BUILDING: 4.2%	4. NO SOLID WASTE DISPOSAL FACILITIES ARE ON OR NEAR THE PROPERTY.
PAVED/GRAVEL: 7.9%	5. ALL EXISTING NATURAL FEATURES ARE EXPECTED TO REMAIN AS SUCH.
OPEN SPACE: 73%	6. NO FEATURES SUCH AS EASEMENTS AND COMMON AREAS EXIST ON SUBJECT PROPERTY.
TOTAL IMPERVIOUS: 13.2%	
PARKING SPACES: 2	
WATER/SEWER/STREETS: PUBLIC	
AREA: CITY OF WINSTON-SALEM	
PURPOSE STATEMENT	
OWNER IS SEEKING TO RECLASSIFY THE SUBJECT PROPERTY'S ZONING DISTRICT FROM RS9 TO LI IN ORDER TO ERECT A RADIO TOWER.	

C:\P\working\TPA\mlinkous\dms58613\SUD.dwg, Plot, 5/8/2007 11:48:51 AM, mlinkous

ISSUE	DATE	DESCRIPTION
	05/07	Preliminary - Not Released for Construction

PROJECT NUMBER	0000053530 018
----------------	----------------



City/County Utilities Commission
65 East and West Booster Pumping Stations
ELECTRICAL MODIFICATIONS

Winston-Salem North Carolina

SITE PLAN FOR SPECIAL USE DISTRICT ZONING MAP AMENDMENT

0 20' 40'
1" = 2'

FILENAME	SUD.dwg	SHEET
SCALE	AS NOTED	SUD

W-2933

Site Plan File 05/07