



**DOCKET #:** W2954

**PROPOSED ZONING:**  
LB-L

**EXISTING ZONING:**  
RS9

**PETITIONER:**  
Harry E. Hill and Wanda  
H. Hill for property  
owned by Same

**SCALE:** 1" represents 300'

**STAFF:** Roberts

**GMA:** 3

**ACRES:** 0.89

**NEAREST  
BLDG:** 5' north

**MAP(S):** 618890

**F**

September 19, 2007

Harry E. Hill and Wanda H. Hill  
109 Isleworth Court  
Advance, NC 27006

RE: ZONING MAP AMENDMENT W-2954

Dear Mr. Hill and Ms. Hill:

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  
John Chalk, 5532 Alma Drive, Winston-Salem, NC 27105

**ACTION REQUEST FORM**

**DATE:** September 19, 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 Harry E. Hill and Wanda H. Hill

**SUMMARY OF INFORMATION:**

Zoning Map Amendment of Harry E. Hill and Wanda H. Hill from RS-9 to LB-L [Access Easement, Private Off-Site; Adult Day Care Center; Agricultural Production, Crops (F); Agricultural Production, Livestock (F); Animal Shelter, Public; Arts & Crafts Studio; Banking and Financial Services; Bed and Breakfast; Broadcast Studio; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Combined Use; Food or Drug Store; Funeral Home; Furniture & Home Furnishings Store; General Merchandise Store; Government Offices; Hardware Store; Library, Public; Limited Campus Uses; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motorcycle Dealer; Museum or Art Gallery; Neighborhood Organization; Non-Store Retailer; Nursery, Lawn & Garden Supply Store, Retail; Offices, Miscellaneous; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Professional Office; Recreation Facility, Public; Recreation Services, Indoor; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; School, Private; School, Public; School, Vocational or Professional; Services, Business A; Services, Personal; Shopping Center; Utilities; and Veterinary Services]; property is located on the east side of University Parkway, south of Noel Drive (Zoning Docket W-2954)

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL.  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED

CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of Harry E. Hill and Wanda H. Hill, Docket W-2954

AN ORDINANCE AMENDING THE  
WINSTON-SALEM CITY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE CITY OF WINSTON-SALEM, N.C.

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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 LB-L [Access Easement, Private Off-Site; Adult Day Care Center; Agricultural Production, Crops (F); Agricultural Production, Livestock (F); Animal Shelter, Public; Arts & Crafts Studio; Banking and Financial Services; Bed and Breakfast; Broadcast Studio; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Combined Use; Food or Drug Store; Funeral Home; Furniture & Home Furnishings Store; General Merchandise Store; Government Offices; Hardware Store; Library, Public; Limited Campus Uses; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motorcycle Dealer; Museum or Art Gallery; Neighborhood Organization; Non-Store Retailer; Nursery, Lawn & Garden Supply Store, Retail; Offices, Miscellaneous; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Professional Office; Recreation Facility, Public; Recreation Services, Indoor; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; School, Private; School, Public; School, Vocational or Professional; Services, Business A; Services, Personal; Shopping Center; Utilities; and Veterinary Services] the zoning classification of the following described property:

Tax Block 2048, Tax Lots 1E and 6F

Section 2. This Ordinance is adopted after approval of the Special Use Limited District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_ to Harry E. Hill and Wanda H. Hill.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Harry E. Hill and Wanda H. Hill. Said Special Use Limited District Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE LIMITED DISTRICT PERMIT

SPECIAL USE LIMITED 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 Limited District Permit for the zoning petition of Harry E. Hill and Wanda H. Hill, (Zoning Docket W-2954). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Access Easement, Private Off-Site; Adult Day Care Center; Agricultural Production, Crops (F); Agricultural Production, Livestock (F); Animal Shelter, Public; Arts & Crafts Studio; Banking and Financial Services; Bed and Breakfast; Broadcast Studio; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Combined Use; Food or Drug Store; Funeral Home; Furniture & Home Furnishings Store; General Merchandise Store; Government Offices; Hardware Store; Library, Public; Limited Campus Uses; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motorcycle Dealer; Museum or Art Gallery; Neighborhood Organization; Non-Store Retailer; Nursery, Lawn & Garden Supply Store, Retail; Offices, Miscellaneous; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Professional Office; Recreation Facility, Public; Recreation Services, Indoor; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; School, Private; School, Public; School, Vocational or Professional; Services, Business A; Services, Personal; Shopping Center; Utilities; and Veterinary Services, 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-L zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws. There are no additional conditions.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-2954
<b>Staff</b>	Gary Roberts, AICP
<b>Petitioner(s)</b>	Harry E. Hill and Wanda H. Hill
<b>Owner(s)</b>	Same
<b>Subject Property</b>	Tax Lot 1E and 6F / Tax Block 2048
<b>Type of Request</b>	Special Use Limited rezoning to LB-L
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> RS-9 Residential, Single Family District; 9,000 sf minimum lot size <b>to</b> LB-L Limited Business Special Use Limited District. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• (Access Easement, Private Off-Site; Adult Day Care Center; Animal Shelter, Public; Arts &amp; Crafts Studio; Banking and Financial Services; Bed and Breakfast; Borrow Site; Broadcast Studio; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Combined Use; Dirt Storage; Food or Drug Store; Funeral Home; Furniture &amp; Home Furnishings Store; General Merchandise Store; Government Offices; Hardware Store; Landfill, Land Clearing/Inert Debris; Library, Public; Limited Campus Uses; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motorcycle Dealer; Museum or Art Gallery; Neighborhood Organization; Non-Store Retailer; Nursery, Lawn &amp; Garden Supply Store, Retail; Offices, Miscellaneous; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Professional Office; Recreation Facility, Public; Recreation Services, Indoor; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; School, Private; School, Public; School, Vocational or Professional; Services, Business A; Services, Personal; Shopping Center; Utilities; and Veterinary Services)</li> </ul>
<b>Zoning District Purpose Statement</b>	<p>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 Growth Management Areas 2, 3, 4, and 5.</p>

<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>			
	Yes			
<b>GENERAL SITE INFORMATION</b>				
<b>Location</b>	East side of University Parkway, south of Noel Drive			
<b>Jurisdiction</b>	City of Winston-Salem			
<b>Ward(s)</b>	Northeast			
<b>Site Acreage</b>	Approximately ± .89 acre			
<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	LB	Small scale business	
	East	RM8-S	Day Care Center	
	South	RS-9	Single family home	
West	LB	Small scale business		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(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 uses permitted in the adjacent LB zoned properties.			
<b>Physical Characteristics</b>	The site has been cleared and has a general slope downward to the west.			
<b>Proximity to Water and Sewer</b>	Public water and sewer are available.			
<b>Analysis of General Site Information</b>	The site appears to have no development constraints.			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
University Parkway	Major Thoroughfare	150'	22,000	32,200
<b>Proposed Access Point(s)</b>	University Parkway is the only public street access to the site.			
<b>Planned Road Improvements</b>	<i>The 2004 – 2030 Winston-Salem Urban Area Transportation Plan</i> indicates that University Parkway is scheduled to be widened to a 6-lane divided section between 2015 and 2020, south of the subject property			



<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: RS-9</u>  <math>.89 \text{ ac} \times 43,560 / 9,000 = 4 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 38 \text{ Trips per Day}</math></p> <p><u>Proposed Zoning: LB-L</u>          Because there is no site plan associated with the subject request, no trip generation is available.</p>
<b>Sidewalks</b>	No sidewalks are located in the general area.
<b>Transit</b>	Not available
<b>Analysis of Site Access and Transportation Information</b>	Access to the site is adequate.
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	Growth Management Area 3 (Suburban Neighborhoods)
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>• The subject property is located along an Urban Boulevard and on the northern edge of the North Summit Square Metro Activity Center.</li> <li>• <i>Suburban Neighborhoods</i> have the most undeveloped land where much of the future residential, commercial and industrial development should occur. All of the Metro Activity Centers are located within this area. This area is appropriate for future urban or suburban development. (p. 30)</li> <li>• <i>Urban Boulevards</i>: The purpose of Urban Boulevards is to: (1) create attractive urban gateways leading into downtown Winston-Salem; (2) concentrate jobs, retail and higher density housing at selected points along these corridors; (3) promote high quality transit service and pedestrian access by increasing densities at specific locations along these corridors; and (4) incorporate design features that support pedestrian activity and give these corridors an urban look and feel. (p. 32)</li> <li>• <i>Retail and office buildings</i> should be near the street and sidewalk. This reduces the distance pedestrians and transit users have to travel and provide direct access to buildings along the street. Locating buildings close to the street, lining the street with trees, buffering the street with parked cars, ensuring buildings have display windows at the sidewalk edge all provide an interesting walking environment where pedestrians feel a sense of activity, enclosure and safety. Parking should be located to the rear and sides or under retail and office buildings. (p. 52)</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>North Suburban Area Plan (2005)</i>

<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>Property is identified as part of Site E (<i>area near Coral Drive, north of Hanes Mill Road behind Wal-Mart and east of University Parkway</i>) of the North Summit Square Metro Activity Center. (p.30)</li> <li>Commercial developments in Site E should be located along University Parkway but should still be developed using Traditional Neighborhood Development (TND) principles. These principles include a comprehensively planned mixture of uses with a predominance of residential uses arranged in a compact, pedestrian oriented fashion designed to lessen the need for a total reliance on the automobile and to generate a sense of community. (p. 28 &amp; 29)</li> </ul>					
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(3) - Have changing conditions substantially affected the area in the petition?</b>					
	No					
	<b>(S)(4) - Is the requested action in conformance with <i>Legacy</i>?</b>					
	Yes					
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>The <i>North Suburban Area Plan</i> recommends the subject property, along with several acres of adjoining property to the south and east, to be developed using Traditional Neighborhood Development (TND) principles. Considering the subject property is adjacent to either commercially zoned property or recently rezoned property on three sides, staff is comfortable with the site not being integrated into a larger assemblage of property for comprehensive redevelopment. However, Planning staff would not be supportive of piecemeal or individual commercial rezonings of the properties to the south of the subject property along University Parkway.</p> <p>In discussing the subject request with the Planning staff, the petitioner did agreed to remove some of the more intensive permitted uses in the LB District. The intent of eliminating the uses listed below is to minimize the impact on any surrounding potential redevelopment and on University Parkway. The uses which the petitioner has agreed to remove are: ABC Store; Convenience Store; Car Wash; Motor Vehicle Repair and Maintenance; Transmission Tower; and Outdoor Display Retail.</p>					
<b>RELEVANT ZONING HISTORIES</b>						
<b>Case</b>	<b>Request</b>	<b>Decision &amp; Date</b>	<b>Direction from Site</b>	<b>Acreage</b>	<b>Recommendation</b>	
					<b>Staff</b>	<b>CCPB</b>
W-2872	RS-9 & RM8-S to RM8-S	Approved 8-7-06	Directly northeast	1.9	Approval	Approval
F-133	R-6 to B-3 (LB)	Approved 12-15-69	Directly north	1.75	Denial	Denial
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>						
<b>Positive Aspects of Proposal</b>			<b>Negative Aspects of Proposal</b>			
The petitioner has agreed to remove some of the more intensive commercial uses from the subject request.			Request may lead to more requests for commercial rezonings along this section of University Parkway.			

**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**

During discussion by the Planning Board, the following points were made:

1. Carol Eickmeyer noted that several uses are of concern to her due to their proximity to a Day Care. Those uses are "Borrow Site; Dirt Storage; and Landfill, Land Clearing & Inert Debris". Why would we want those things on University Parkway?
2. The petitioner did not appear to be present to answer questions about these uses.

MOTION: Clarence Lambe moved approval of the zoning map amendment

SECOND: Lynne Mitchell

After discussion, Mr. Lambe and Ms. Mitchell amended their motion to approval with the deletion of the uses "Borrow Site"; "Dirt Storage"; and "Landfill, Land Clearing & Inert Debris".

VOTE:

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

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning