



**DOCKET #:** W2965

**PROPOSED ZONING:**  
PB-S

**EXISTING ZONING:**  
RS9

**PETITIONER:**  
H & K Investment and  
W.W. Disher Properties,  
Inc. for property owned  
by Same

**SCALE:** 1" represents 200'

**STAFF:** Roberts

**GMA:** 3

**ACRES:** 0.99

**NEAREST  
BLDG:** 7' north

**MAP(S):** 600850

**F**

December 20, 2007

H & K Investment and W.W. Disher Properties, Inc.  
4721 Country Club Road  
Winston-Salem, NC 27104

RE: ZONING MAP AMENDMENT W-2965

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  
Henry H. Lafferty, 3520 Triad Court, Winston-Salem, NC 27107  
Barry Partridge, 140 Stone Brook Court, Winston-Salem, NC 27104  
John Beeson, 503 High Street, Winston-Salem, NC 27101  
Brandon Williams, 4750 McGuire Avenue, Winston-Salem, NC 27104  
Samuel L. Mendenhall, 153 Queensbury Road, Winston-Salem, NC 27104  
Steven Campbell, 104 Queensbury Road, Winston-Salem, NC 27104  
Carl Kirkpatrick, 124 Queensbury Road, Winston-Salem, NC 27104  
Anita Love, 112 Queensbury Road, Winston-Salem, NC 27104  
Allan Smith, 129 Queensbury Road, Winston-Salem, NC 27104  
Jason Smith, 129 Queensbury Road, Winston-Salem, NC 27104  
Wade Cornelius, 116 Queensbury Road, Winston-Salem, NC 27104

**ACTION REQUEST FORM**

**DATE:** December 20, 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 H & K Investment and W.W. Disher Properties, Inc.

**SUMMARY OF INFORMATION:**

Zoning map amendment of H & K Investment and W.W. Disher Properties, Inc. from RS-9 to PB-S (Retail Store, Specialty or Miscellaneous; Offices, Miscellaneous; Professional Office; Arts and Crafts Studio; Neighborhood Organization; Services, Personal; Business Services, A; Building Contractor, General; Recreation Services, Indoor; Health Services, Miscellaneous; and Medical or Dental Laboratory): property is located on the northeast corner of Country Club Road and Queensbury Road (Zoning Docket W-2965).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of H & K Investment and W.W. Disher Properties, Inc., Docket W-2965

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 PB-S (Retail Store, Specialty or Miscellaneous; Offices, Miscellaneous; Professional Office; Arts and Crafts Studio; Neighborhood Organization; Services, Personal; Business Services, A; Building Contractor, General; Recreation Services, Indoor; Health Services, Miscellaneous; and Medical or Dental Laboratory) the zoning classification of the following described property:

Tax Lots 64 and 65, Tax Block 3905 and Tax Lot 34, Tax Block 3419

Section 2. This Ordinance is adopted after approval of the site plan entitled Samnaz Business Center and identified as Attachment "A" of the Special Use District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ to H & K Investment and W.W. Disher Properties, Inc.

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 Samnaz Business Center. 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 H & K Investment and W.W. Disher Properties, Inc., (Zoning Docket W-2965). 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 PB-S (Retail Store, Specialty or Miscellaneous; Offices, Miscellaneous; Professional Office; Arts and Crafts Studio; Neighborhood Organization; Services, Personal; Business Services, A; Building Contractor, General; Recreation Services, Indoor; Health Services, Miscellaneous; and Medical or Dental Laboratory), approved by the Winston-Salem City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_" and signed, provided the property is developed in accordance with requirements of the PB-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 the City of Winston-Salem Public Works Department. Improvements shall include widening along the Queensbury Road frontage with curb and gutter and sidewalk.
  - b. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  - a. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lighting shall not produce more than ½ foot candle of light at the property line.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  - a. Developer shall install all improvements as per driveway permit.
  - b. Developer shall install all storm water management devices.
  - c. Certification from a qualified professional must be submitted certifying that the lighting was installed in accordance with the approved plan and the above noted condition.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-2965
<b>Staff</b>	Gary Roberts Jr. AICP
<b>Petitioner(s)</b>	H & K Investment and W.W. Disher Properties, Inc.
<b>Owner(s)</b>	Same
<b>Subject Property</b>	Tax Lots 64 & 65 / Tax Block 3905 and Tax Lot 34 / Tax Block 3419
<b>Type of Request</b>	Special use rezoning to PB-S
<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> PB-S Pedestrian Business District. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• (Retail Store, Specialty or Miscellaneous; Offices, Miscellaneous, Professional Office; Arts and Crafts Studio; Neighborhood Organization; Services, Personal; Services, Business A; Building Contractor, General; Recreation Services, Indoor; Health Services, Miscellaneous; and Medical or Dental Laboratory)</li> </ul>
<b>Zoning District Purpose Statement</b>	<p>The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.</p>
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<p><b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Planning staff does not see the subject property as being an appropriate location for the PB District. In regard to the specific site plan, the PB District requires that at least one façade of a corner lot building be setback no further than 15'. The proposed building is sited 20' back from both road frontages; however, staff is comfortable with the proposed building placement in light of the topography and adjacent building setbacks as noted on the site plan.</p>
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	Northeast corner of Country Club Road and Queensbury Road
<b>Jurisdiction</b>	City of Winston-Salem
<b>Ward(s)</b>	West
<b>Site Acreage</b>	Approximately ± .99 acre

<b>Current Land Use</b>	Currently located on the site are two single family homes: however, the single family home which faces Queensbury Road is in the process of being removed from the site. The structure facing Country Club Road is being used as a construction office without having the proper zoning in place or permits. The Inspections Division has recently cited the owner of the property.			
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>	
	North	RS-9	Single family home	
	East	LO-S	Small scale office buildings	
	South	LO-S	Small scale office buildings	
	West	RS-9	Single family home	
<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 requested uses of: Retail Store, Specialty or Miscellaneous; Arts and Crafts Studio; Services, Personal; Services, Business A; Building Contractor, General; Recreation Services, Indoor; Health Services, Miscellaneous; and Medical or Dental Laboratory are not allowed in the adjacent LO-S districts nor in the adjacent RS-9 district.			
<b>Physical Characteristics</b>	The site has a gentle to moderate slope downward to the southwestern corner of the site.			
<b>Proximity to Water and Sewer</b>	Public water and sewer is available to the site.			
<b>Stormwater/ Drainage</b>	A stormwater study will be required prior to the issuance of a grading permit.			
<b>Analysis of General Site Information</b>	The site appears to be adequate for the proposed improvements.			
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b>			
	<ul style="list-style-type: none"> <li>Condition for stormwater study</li> </ul>			
<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>
Country Club Road	Major Thoroughfare	125'	20,000	31,000
Queensbury Road	Local Street	207'	NA	NA
<b>Proposed Access Point(s)</b>	Queensbury Road			
<b>Planned Road Improvements</b>	Country Club Road has recently been widened to a five lane facility with widened outside lanes and sidewalks as per the approved 2000 Bond projects.			



<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: RS-9</u>  <math>.99 \times 43,560 / 9,000 = 4 \text{ units} \times 9.57 \text{ (SFR Trip)} = 38 \text{ Trips per Day}</math></p> <p><u>Proposed Zoning: PB-S</u>  <math>14,600 \text{ sf} / 1,000 \times 40.67 \text{ (Specialty Retail Center Trip Rate)} = 594 \text{ Trips per Day}</math></p>
<b>Sidewalks</b>	Sidewalks were included within the recent improvements to Country Club Road. Staff recommends a sidewalk along the Queensbury Road frontage of the site.
<b>Transit</b>	Route 12 along Country Club Road
<b>Connectivity</b>	Planning and WSDOT staffs recommend a cross access easement be provided to the east.
<b>Traffic Impact Study (TIS)</b>	Not required
<b>Analysis of Site Access and Transportation Information</b>	Access to the site is adequate; however, staff recommends a sidewalk be provided along the Queensbury Road frontage of the site and a cross access easement be provided to the east. The revised site plan includes these two recommendations.
<b>Generalized Recommended Conditions</b>	<p><b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b></p> <ul style="list-style-type: none"> <li>Obtain City of Winston-Salem driveway permit</li> </ul>
<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>Infill development, like any land use issue, must balance the concerns of surrounding residents about the preservation of the character of their neighborhood with the needs of property owners and developers and the goals of the larger community. (p. 40)</li> <li>Protect residential areas from inappropriate commercial and industrial encroachment. (p. 123)</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>Country Club/Jonestown Area Plan (1985)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>The <i>Country Club/Jonestown Area Plan</i> recommends low density residential development for this site.</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>
	Country Club has recently been widened to a five lane road.
	<b>(S)(4) - Is the requested action in conformance with Legacy?</b>
	No

**Analysis of  
Conformity to  
Plans and  
Planning Issues**

The *Country Club/Jonestown Area Plan* recommends low density residential development for the subject property. The plan does however, recommend the conversion of the structures located across Country Club Road from single family homes to office use. Several such conversions have successfully taken place since the adoption of the plan. In addition, there remain several single family residential properties along this section of Country Club Road which have yet to undergo such a conversion to office use.

Planning staff is concerned that if the subject property is rezoned to a commercial district, it would serve as an open invitation to similarly rezone the above noted office and residential properties for more intensive retail and business uses.

The section of Country Club Road from Jonestown Road to Peace Haven Road has just been widened as a result of the 2000 City Bond Referendum for road improvements. The new facility includes a center turn lane with no median thus allowing full access to the adjacent properties including unrestricted left turning movements. Without careful land use management, this segment of Country Club Road could regress into typical strip commercial development. The ability of this roadway to move travelers from one section of the City to another would be reduced as the number and square footage of high traffic generating retail or destination type uses increase. It should be noted that approximately \$6 million of local public money has been spent to improve Country Club Road and remove the traffic bottlenecks that have existed there for several years but even with that improvement, Country Club Road is at two thirds of its capacity.

In addition to the broader impacts noted above, the subject request would permit an inappropriate degree of commercial encroachment into the adjacent Queensbury Road neighborhood. Specifically, a majority of the proposed parking lot along with the proposed driveway entrance would be located on a "second tier" lot which is clearly oriented to said residential street. This could have an impact on other residential properties on Queensbury Road both north and west of the site. *Legacy* recommends the protection of residential areas from inappropriate commercial encroachment.

Finally, Queensbury Road serves as the only entrance into this residential area. Left turns onto Country Club Road from Queensbury Road are already challenging even without the additional traffic which increased commercial activity would bring.

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2939	LO-S to LO-S	Approved 8-6-07	Directly Northeast	3.6	Approval	Approval
W-1889	R-5 to R-1-S (LO-S)	Approved 4-4-94	Directly east	.42	Approval	Approval
W-1183	R-5 to R-1-S (LO-S)	Approved 8-6-84	Directly south	.67	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	14,600 sf		Southwest corner of site			
Parking	Required	Proposed		Layout		
	39 spaces	39 spaces		Located behind the building		
Building Height	Maximum			Proposed		
	60'			Two stories		
Impervious Coverage	Maximum			Proposed		
	NA			59%		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> <li>Chapter B, Article II, Section 2-1.3 (F) Pedestrian Business District</li> </ul>					
Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy</i> policies:		See comments above			
	(B) <i>Environmental Ord.</i>		NA			
	(C) Subdivision Regulations		NA			
Analysis of Site Plan Compliance with UDO Requirements	The revised site plan meets the requirements of the UDO.					
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The proposed site plan locates the parking to the rear of the building as viewed from Country Club Road.			The request is not consistent with the recommendations of <i>Legacy</i> .			
			The request is not consistent with the recommendations of the <i>Country Club/Jonestown Area Plan</i> .			
			If approved, the request would establish a precedent for other residential to business conversions along this portion of Country Club Road.			

**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.

**PRIOR TO THE ISSUANCE OF GRADING PERMITS:**

- a. Developer shall obtain a driveway permit from the City of Winston-Salem Public Works Department. Improvements shall include widening along the Queensbury Road frontage with curb and gutter and sidewalk.
- b. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**

- a. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lighting shall not produce more than ½ foot candle of light at the property line

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**

- a. Developer shall install all improvements as per driveway permit.
- b. Developer shall install all stormwater management devices.
- c. Certification from a qualified professional must be submitted certifying that the lighting was installed in accordance with the approved plan and the above noted condition.

**STAFF RECOMMENDATION: DENIAL**

**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.**

Gary Roberts presented the staff report.

**PUBLIC HEARING**

FOR:

Henry H. Lafferty, 3520 Triad Court, Winston-Salem, NC 27107

- Distributed signed letters in support of the petition.
- I am here on behalf of the owner.
- When this project was initially brought in, staff suggested pursuing light office (LO-S) zoning. That was considered, but NCDOT will not permit a driveway access onto Country Club which forces all access onto Queensbury.

- Bearing that in mind, we tried to keep the driveway as far down Queensbury to Country Club as we would be permitted to do, but at the same time allowing room for cars to queue leaving Country Club.
- As far as *Legacy*, I can't address staff concerns directly. I personally feel that the type of business that would be generated in this project would not be inconsistent with the *Legacy* plan objectives.
- With respect to the Jonestown Area Plan, I do feel that the conditions on the ground do not reflect what is there now. The five-lane widening of Country Club has substantially changed that entire area, in particular with my client's site, the construction of the retaining wall has taken away a substantial portion of their site, has directly limited what they are able to do without the purchase of the land directly behind them which pushes them back in to Queensbury.
- As I was laying this building out, several issues were paramount. First was the scale and mass of the building. The intent would be to design this building in a harmonious relationship with the adjacent structures.
- We've asked to push the building back to line up with what's already out there on Country Club and Queensbury.
- I question the trip generation figures based on the uses.

Barry Partridge, 140 Stone Brook Court, Winston-Salem, NC 27104

- My reason for coming is that I have interest in renting some of the space on this site.
- I know the concern is that the area is overpopulated as far as traffic, but what I would be bringing there is a Martial Arts school. The school has business coming in and out throughout the day.
- Although I have 20-25 students in my busiest class at 6:30 pm, many of the members of that class are family members who travel together. There are rarely more than 10-15 cars at a time for my business.

John Beeson, 503 High Street, Winston-Salem, NC 27101

- We're having a real problem with area plans and I think this one is highlighted pretty evidently from the change in Jonestown Road from when that area plan was developed until today. The five lanes of traffic certainly have been brought on by increased offices and businesses in that area. I feel like this is a fairly small part of that with the road already in place and particularly since part of the land was taken up in order to do that.
- They've been limited a little bit in the use of their land.
- We're asking for PB which faces our building to the front, parking in the rear. We're going architecturally that will try to blend with the neighborhood and the streetscape.
- Those big changes always come up and you guys agonize over this every time something comes before you. We find ways to work in what we want.
- You've noticed your agenda keeps shrinking substantially and I think that's something you're going to see. If we don't try to take care of our local developers, builders, and such as that, it's going to shrink a lot more. There aren't going to be out-of-town people who are going to sustain us through this downturn.
- I question the number of trips per day that are listed as 594 for the usages here. Traffic study was not requested but certainly can be arrived at prior to any other meetings on this. I think that's a pretty massive number of trips that are anticipated for the uses that were listed and that we know are going to be there.

- I really request of you to keep in mind our local people, the people who built our community and what we can do to assist them if we can.

AGAINST:

Brandon Williams, 4750 McGuire Avenue, Winston-Salem, NC 27104

- I oppose this.
- This seems like an encroachment onto my property.
- Home owners in the area are tax payers and bring property taxes into the City as well as businesses do, but we are here for the long haul and many of these businesses are come-and-go.

Samuel L. Mendenhall, 153 Queensbury Road, Winston-Salem, NC 27104

- I am opposed to this rezoning request.
- We've had a substantial flood situation over the past year due to the water runoff from the additional buildings on Country Club Commons and the widening of Country Club Road.
- We do not have a stoplight at Queensbury Road, so for us to travel northeast going toward Jonestown Road it sometimes takes 15-20 minutes to get out of our own development.
- With the additional usage of this property, we are concerned about the quality of life and the value of our homes.
- If you were living here, would you like this requested development?

Steven Campbell, 104 Queensbury Road, Winston-Salem, NC 27104

- I am the first house right here.
- I highly oppose this.
- Mentioned a petition which practically the whole neighborhood signed.
- This is going to put too much traffic on this street.
- We don't have a place for kids to ride bikes and stuff around this street, so they end up riding on Queensbury.
- This will hurt our property values because no one wants to buy a house with a business in the front yard.
- Queensbury Road is not sized for this kind of traffic and there is no guttering.
- Discussed a house which was moved to make way for this request.
- We don't want this request.
- There are other places within a mile of this site that are appropriate for this type of use and would not impact neighborhoods.

Carl Kirkpatrick, 124 Queensbury Road, Winston-Salem, NC 27104

- I agree with what's been said.
- This requested development would be very detrimental to our neighborhood no matter what size it would be or how it is built.
- This is a quiet neighborhood.
- We're already suffering greatly from overdevelopment.
- Development has to go somewhere, but it doesn't ALL have to go on Country Club Road.

- The runoff has already caused significant damage along Silas Creek. Some of that damage was filled in this past week because it was on the verge of running into a sewer line. There's still work that needs to be done on that area.

Anita Love, 112 Queensbury Road, Winston-Salem, NC 27104

- The traffic is unbelievable.
- I'm concerned that this company wants to put his firms business on the second floor would have truck traffic.
- Developer has already moved one house and has told my husband that they want to use the second vacant rental house for his business while this construction is being done. The area isn't zoned for that.
- This will be detrimental to everyone on this street.
- Additional comments were inaudible.
- Submitted petitions opposing this request.

Allan Smith, 129 Queensbury Road, Winston-Salem, NC 27104

- The biggest problem I see is if the Tae Kwan Do business does come in, having 10-15 cars at one time will have cars backing up on Queensbury. There will be no real access to the road in a timely manner.

Jason Smith, 129 Queensbury Road, Winston-Salem, NC 27104

- I have a daughter that plays on this street.
- People already fly down this road because they don't know the road doesn't let out anywhere.
- Adding traffic to this would just endanger children more.

Wade Cornelius, 116 Queensbury Road, Winston-Salem, NC 27104

- I moved here in 1973. There was 18 acres of corn behind me and woodland in front of me. You all know what's there now.
- I resent that this petitioner wants to put the dumpster and parking on our street and put his two story building on the front and finance his project by renting the first floor out so he doesn't bear the cost of the building.
- This needs to stay RS-9.

## **WORK SESSION**

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

1. Arnold King reminded the proponents that all requested uses have to be considered in approving a zoning request and that's probably why the number of trips per day is higher than they anticipated. Paul Norby explained that staff submits the proposed uses and proposed square footage to the City DOT and they use trip generation manuals to calculate trips per day. Traffic impact studies allow for explanations of how particular statistics might not match a particular situation, but barring a TIS which was not required in this case, DOT has to estimate based on the standards for the requested uses.

2. David Reed noted that WSDOT had been consulted during the presentation and that intersection has been studied and does not warrant a traffic signal.
3. Carol Eickmeyer asked those in opposition to stand. She asked questions of Mr. Lafferty and Mr. Beeson about the layout of the site and building and about stormwater. The petitioner indicated that elevations aren't available at this time because they waited to see if they could even build the building before investing in elevations.
4. Clarence Lambe: I'd probably be supportive of LO-S. I don't think the traffic impact is going to be a whole lot greater. I don't think the neighborhood is going to like LO-S. Unless we had a pretty good size piece of land assembled out here, I would not be supportive of anything more intensive than LO-S out there right now.
5. Wesley Curtis: I'll support staff's recommendation for denial. One reason is the traffic. A lot of time and energy goes into area plans during which everyone in that area has a chance to be heard about their thoughts for the area. While things do change, as much as possible, we need to support those once we adopt them.
6. Carol Eickmeyer: This piece of property is so much higher than the surrounding residential property. We will be considering something for this site other than residential because no one will want to live on this site right on Country Club. But it needs to be something much more in keeping with the residential area, not something that will tower over the residences. I hope the storm water issues can be addressed even if this site is not built upon.

MOTION: Clarence Lambe moved denial of the zoning map amendment.

SECOND: Jerry Clark

VOTE:

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

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Paul Mullican 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, Brenda Smith

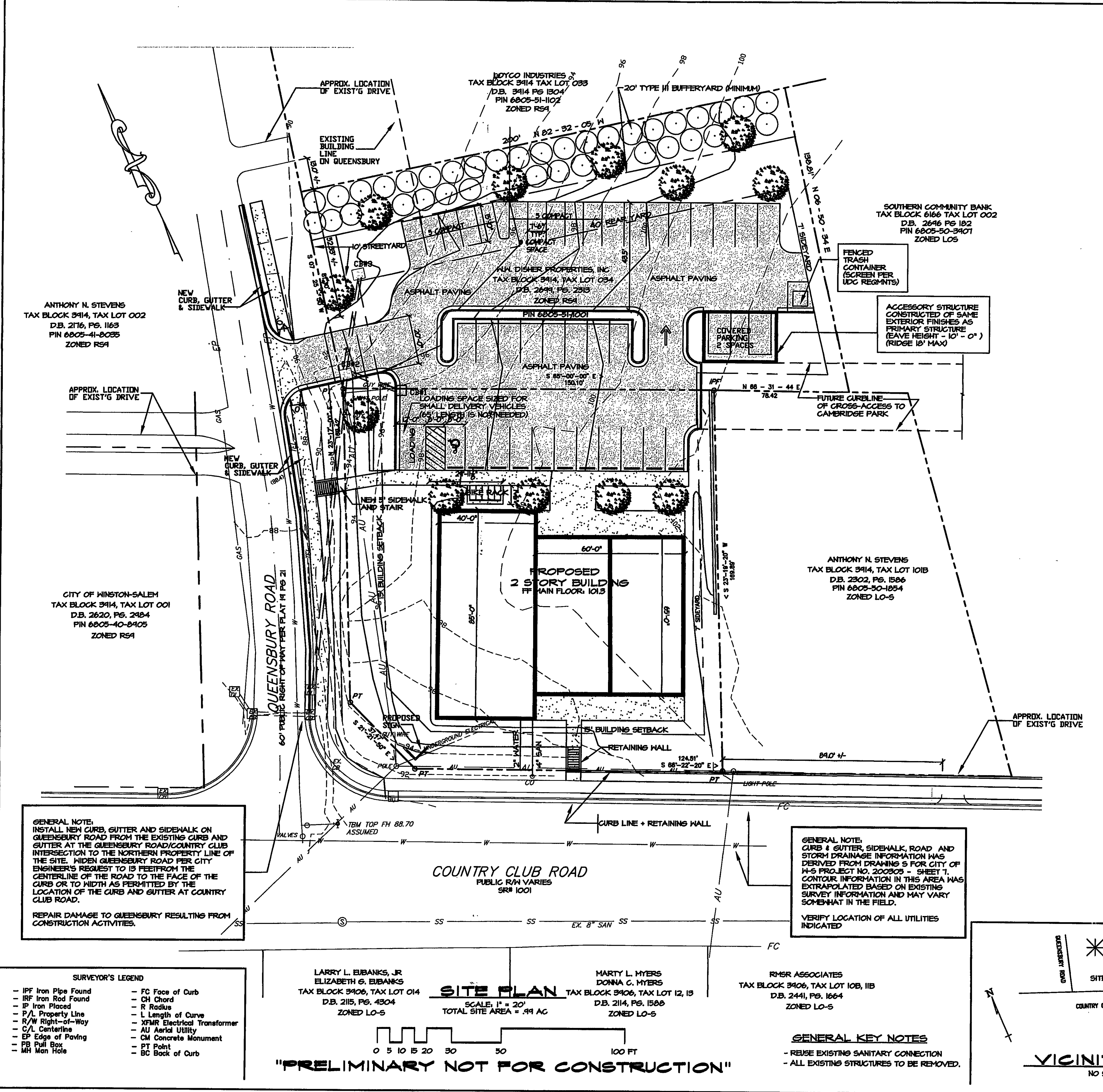
AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning



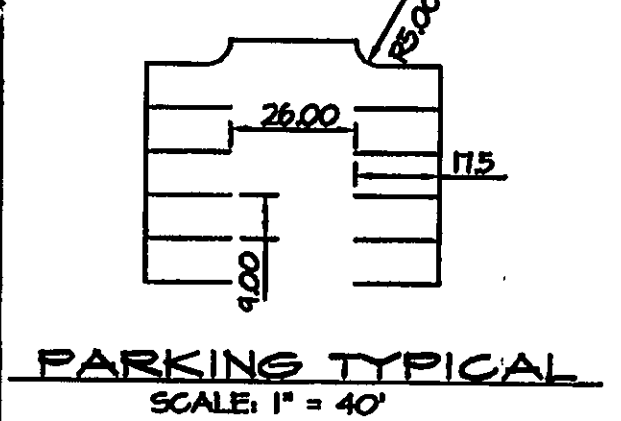


**PURPOSE STATEMENT**

THE PURPOSE OF THIS REZONING IS TO ZONE FROM RS-4 TO PB-5. THE PB-5 ZONING IS CONSISTENT WITH EXISTING AND PROPOSED LAND USES SURROUNDING THIS SITE. THE OWNER DESIRES TO PROVIDE A KARATE FACILITY OR SPECIALTY RETAIL SPACE ON THE MAIN FLOOR WITH OFFICE SPACE LOCATED ON THE SECOND FLOOR. THIS TYPE OF MIXED USE IS DESIRABLE FOR COUNTRY CLUB, ESPECIALLY CONSIDERING THE CHANGING CHARACTER OF THE STREET.

**LANDSCAPE REQUIREMENTS**

LOCATION	PLANTING YARD REQ'D	APPROX. LENGTH	CANOPY TREES	PRIMARY EVERGREEN	SHRUBS
COUNTRY CLUB RD.	NONE	-	-	-	-
QUEENSBURY ROAD	STREETYARD	48'	2	-	25
NORTH P/L	20' TYPE "III"	200	4	36	-
PARKING AREA	1/2500 SF	13,000 SF	6	-	-



**OWNER/APPLICANT**

H&K INVESTMENT  
 MENDI KAUSARI  
 4721 COUNTRY CLUB ROAD  
 WINSTON-SALEM, NC 27104  
 336-714-8100 (N)  
 336-714-8101 (F)

Site is located within WINSTON-SALEM corporate limits.  
 Site Pin Number: 6805-50-0901  
 Tax Block/Lot: 3405 06A065 034  
 Deed BK/Pg: 2188-2711

**ZONING**

Existing Zoning: RS4  
 Type of Review Requested: REZONING TO PB-5  
 PB-5 (Specialty & Misc. Retail Uses, Office Professional Offices, Arts & Crafts Studio, Neighborhood Organization, Personal Services, Business Services, Building Contractor, General Indoor Recreation Service, Misc. Health Services, Medical/Dental Lab.)

**SITE SIZE AND COVERAGES**

Total Acreage: .91 Acres(s)  
 Site Coverages:  
 Building to Land 16 %  
 Pavement to Land 41 %  
 Open Space 41 %  
 TOTAL 100.0 %  
 PRIMARY STRUCTURE  
 2 FLOOR = 1300 SQ.FT. FLOOR  
 TOTAL AREA = 14,800 SF  
 ACCESSORY STRUCTURE  
 1 STORY GARAGE = 542 SF  
 TOTAL ROOFED AREA = 15,342 sq.ft.  
 Building Square Footage: 15,342  
 Building Height (Primary Structure): 38'-0" Ft. or Stories

**INFRASTRUCTURE**

Water:  Public  Private  
 Sewer:  Public  Private  
 Streets:  Public  Private

**OFF-STREET PARKING (if applicable)**

Proposed Use(s):  
 General Office  
 Parking Calculation: 1 Spaces/ 300 SF  
 Membership Sports Club  
 Parking Calculation: 1 Spaces/ 200 SF  
 1300/300 = 4.33 Spaces  
 1300/200 = 6.5 Spaces  
 60 x 30 = 60 - 18 = 42 Required  
 42 x .02 = 1 Space Reduction (Bike Rack)  
 42 x .03 = 1 Space Reduction (Sidewalk)  
 42 x .05 = 1 Space Reduction (Route 12 HSTA)  
 TOTAL REDUCTION = 3 Spaces  
 Note: 25% Parking May be Compact Parking  
 Required Parking: 39 Required Spaces  
 Parking Provided: 39 Provided Spaces

**BUFFERYARDS (if applicable)**

Adjoining Zoning: RESIDENTIAL  
 Type Required: TYPE III (Minimum)  
 Width Provided: 20 + Ft.  
 Fence Option:  Yes  No

**WATERSHED DESIGNATION (if applicable)**

Watershed Name: N/A

**"H & K INVESTMENT"**

PN	COUNTY	STATE	DATE	JOB NO.
6805-50-0901	FORSYTH	NC	12/06/07	

**GENERAL NOTE:**  
 THE PROPOSED LAYOUT SHOWS THE BUILDING LOCATED WITH A SETBACK OF 20' ON BOTH CORNER STREETS FOR THE FOLLOWING REASONS:  
 1. ON QUEENSBURY RD, THE BUILDING IS SITUATED TO VISUALLY RESPECT THE EXISTING SETBACKS OF THE ADJACENT RESIDENTIAL PROPERTIES.  
 2. ON COUNTRY CLUB RD, THE SAME REASONS APPLY.  
 3. AT THE INTERSECTION OF COUNTRY CLUB RD, AND QUEENSBURY RD, THERE IS A FAIRLY SIGNIFICANT CHANGE IN ELEVATION FROM THE BUILDING PAD TO THE SIDEWALK GRADE. TO LOCATE THE BUILDING ACCORDING TO THE 15 FOOT SETBACK WOULD REQUIRE GRADING THAT WOULD RESULT IN INCREASED NEED FOR STEPS AND RETAINING WALLS.  
 THIS IS A REQUEST FOR ALTERNATIVE COMPLIANCE TO THE SETBACK REQUIREMENTS AS INDICATED ON THE SITE PLAN.

**GENERAL NOTE:**  
 INSTALL NEW CURB, GUTTER AND SIDEWALK ON QUEENSBURY ROAD FROM THE EXISTING CURB AND GUTTER AT THE QUEENSBURY ROAD/COUNTRY CLUB INTERSECTION TO THE NORTHERN PROPERTY LINE OF THE SITE. WIDEN QUEENSBURY ROAD PER CITY ENGINEER'S REQUEST TO 15 FEET FROM THE CENTERLINE OF THE ROAD TO THE FACE OF THE CURB OR TO WIDTH AS PERMITTED BY THE LOCATION OF THE CURB AND GUTTER AT COUNTRY CLUB ROAD.  
 REPAIR DAMAGE TO QUEENSBURY RESULTING FROM CONSTRUCTION ACTIVITIES.

**GENERAL NOTE:**  
 CURB & GUTTER, SIDEWALK, ROAD AND STORM DRAINAGE INFORMATION WAS DERIVED FROM DRAINING 5 FOR CITY OF W-S PROJECT NO. 200805 - SHEET 7. CONTOUR INFORMATION IN THIS AREA WAS EXTRAPOLATED BASED ON EXISTING SURVEY INFORMATION AND MAY VARY SOMEWHAT IN THE FIELD.  
 VERIFY LOCATION OF ALL UTILITIES INDICATED

**SITE PLAN**

LARRY L. EUBANKS, JR  
 ELIZABETH G. EUBANKS  
 TAX BLOCK 3406, TAX LOT 014  
 D.B. 2115, PG. 4304  
 ZONED LO-5

MARTY L. MYERS  
 DONNA C. MYERS  
 TAX BLOCK 3406, TAX LOT 12, 13  
 D.B. 2114, PG. 1588  
 ZONED LO-5

RMR ASSOCIATES  
 TAX BLOCK 3406, TAX LOT 10B, 11B  
 D.B. 2441, PG. 1664  
 ZONED LO-5

SCALE: 1" = 20'  
 TOTAL SITE AREA = .91 AC

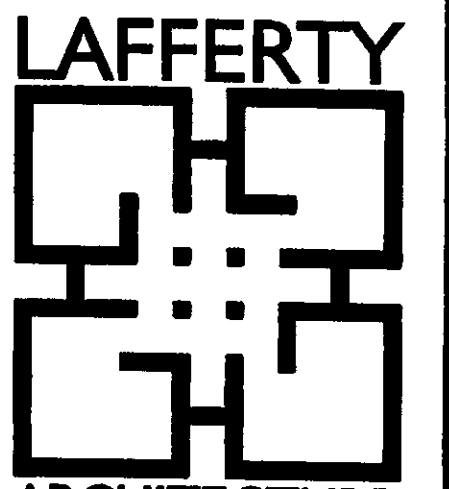
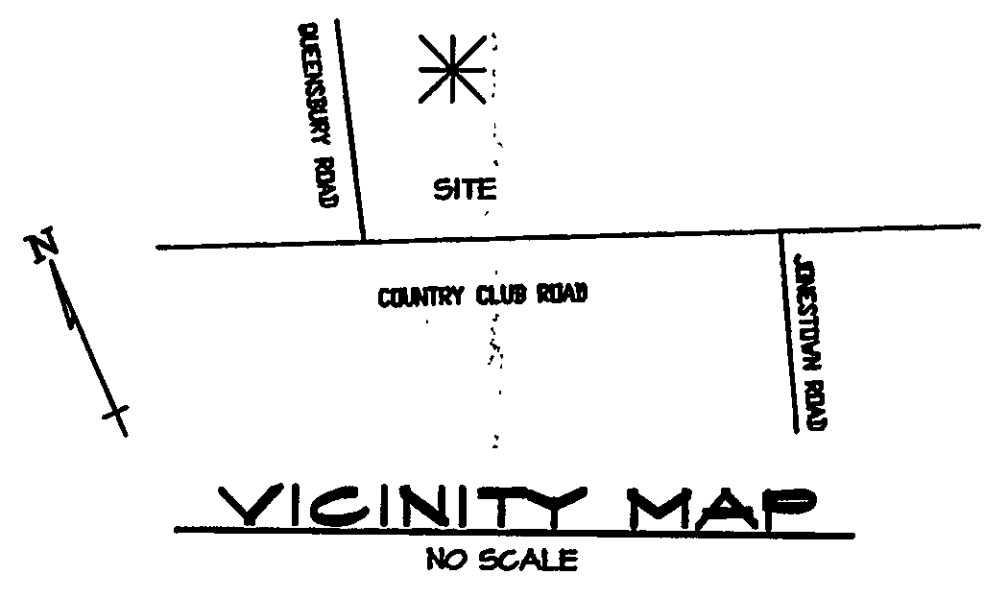


"PRELIMINARY NOT FOR CONSTRUCTION"

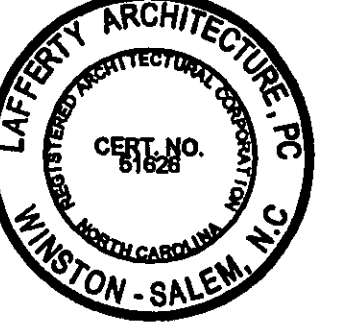
- SURVEYOR'S LEGEND**
- IFF Iron Pipe Found
  - IRF Iron Rod Found
  - IP Iron Placed
  - P/L Property Line
  - R/W Right-of-Way
  - C/L Centerline
  - EP Edge of Paving
  - PB Pull Box
  - MH Man Hole
  - FC Face of Curb
  - CH Chord
  - R Radius
  - L Length of Curve
  - TMR Electrical Transformer
  - AU Aerial Utility
  - CM Concrete Monument
  - PT Pull Point
  - BC Back of Curb

**GENERAL KEY NOTES**

- REUSE EXISTING SANITARY CONNECTION
- ALL EXISTING STRUCTURES TO BE REMOVED.



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Prepared For:  
**SAMNAZ**

4721 Country Club Road  
 Winston-Salem  
 Forsyth County  
 North Carolina

**SAMNAZ BUSINESS CENTER**

Proposed Plot Plan

**DRAWING STATUS:**

- PRELIMINARY
- NOT FOR CONSTRUCTION
- ISSUED FOR PRICING
- NOT FOR CONSTRUCTION
- ISSUED FOR PERMITTING
- ISSUED FOR CONSTRUCTION
- RECORD SET FOR APPROVAL

CLIENT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
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 Drawn By: HHL Approved By: HHL

Sheet Number:  
**C.I**

Date: 12/06/2007 Project Number: LA 07-01