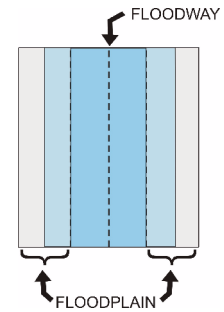


**DOCKET #:** W2914  
(continued from 3/08/2007)

**PROPOSED ZONING:**  
HBS (Multiple Uses)

**EXISTING ZONING:**  
IP and RS9

**PETITIONER:**  
Faith Baptist Church  
and the G. Carl Green  
Trust for property owned  
by Same



**SCALE:** 1" represents 400'

**STAFF:** Roberts

**GMA:** 2

**ACRES:** 4.83

**NEAREST  
BLDG:** 20' west

**MAP(S):** 648846

**F**

May 23, 2007

Faith Baptist Church  
2956 Reynolds Park Road  
Winston-Salem, NC 27107

RE: ZONING MAP AMENDMENT W-2914

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  
G. Carl Green Trust, 376 Meadows Circle, Winston-Salem, NC 27104  
Doug Stimmel, 601 N. Trade Street, Winston-Salem, NC 27101

**ACTION REQUEST FORM**

**DATE:** May 23, 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 Faith Baptist Church and the G. Carl Green Trust

**SUMMARY OF INFORMATION:**

Zoning map amendment of Faith Baptist Church and the G. Carl Green Trust from IP and RS-9 to HB-S [Food or Drug Store; Professional Office; Offices, Miscellaneous; Restaurant (without drive-through service); and General Merchandise Store]; property is located on the northwest corner of Reynolds Park Road and Waughtown Street (Zoning Docket W-2914).

**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 Faith Baptist Church and the G. Carl Green Trust, Docket W-2914

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 IP and RS-9 to HB-S [Food or Drug Store; Professional Office; Offices, Miscellaneous; Restaurant (without drive-through service); and General Merchandise Store] the zoning classification of the following described property:

Tax Block 2604, Tax Lots 1C, 2A, and 3

Section 2. This Ordinance is adopted after approval of the site plan entitled Wal-Greens/Kelly Austin Properties, LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ to Faith Baptist Church and the G. Carl Green Trust.

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 Wal-Greens/Kelly Austin Properties, LLC. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

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

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Faith Baptist Church and the G. Carl Green Trust, (Zoning Docket W-2914). 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 HB-S [Food or Drug Store; Professional Office; Offices, Miscellaneous; Restaurant (without drive-through service); and General Merchandise Store], approved by the Winston-Salem City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_" and signed, provided the property is developed in accordance with requirements of the HB-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  - a. Developer shall obtain a driveway permit from NCDOT and City of Winston-Salem Public Works Department. Improvements shall include:
    - Widen Reynolds Park Road 18' from center 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.
  - c. Obtain Salem Lake Watershed Permit.
  - d. All site lighting shall have a maximum height of 20 feet. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights shall not produce more than ½ foot candle of light at the property line.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  - a. Final plat shall be recorded in the office of the Register of Deeds.
  - b. All site lighting shall have a maximum height of 20 feet. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights 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 required storm water management devices.
- b. Developer shall install all improvements as per driveway permit.
- 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.

- **OTHER REQUIREMENTS:**

- a. Signage shall be limited to one (1) monument sign with a maximum height of six (6) feet, and maximum copy area of 26 sq. ft.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-2914
<b>Staff</b>	Gary Roberts, AICP
<b>Petitioner(s)</b>	Faith Baptist Church and the G. Carl Green Trust
<b>Owner(s)</b>	Same
<b>Subject Property</b>	Tax Lots 1C, 2A, and 3 / Tax Block 2604
<b>Type of Request</b>	Special use district rezoning from IP and RS-9 to HB-S request
<b>Proposal</b>	<p><b>This request was continued from the March 8, 2007 Planning Board meeting to the May 10, 2007 Planning Board meeting at the request of the petitioner. The requested district is now HB-S without a SIDA rather than PB-S with a SIDA and the proposed 12,500 sf retail building has been removed from the site plan.</b></p> <p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> IP Institutional Public District and RS-9 Residential, Single Family District; 9,000 sf minimum lot size <b>to</b> HB-S Highway Business District.</p> <p>The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• (Food or Drug Store; Professional Office; Offices, Miscellaneous; Restaurant without Drive Through; and General Merchandise Store)</li> </ul>
<b>Zoning District Purpose Statement</b>	The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. However, the district is not intended to encourage or accommodate strip commercial development. Developments in this district generally have substantial front setbacks. This district is intended for application in Growth Management Areas 2, 3, and 4.
<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>Yes</p>
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	Northwest corner of Reynolds Park Road and Waughtown Street
<b>Jurisdiction</b>	City of Winston-Salem
<b>Ward(s)</b>	Southeast
<b>Site Acreage</b>	Approximately ± 4.83 acres
<b>Current Land Use</b>	Faith Baptist Church (Neighborhood Scale) and two single family homes.

<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>		<b>Use</b>
	North	RS-9		Single family homes
	East	HB		Shopping center
	South	HB-S		Eckerd Pharmacy
	West	HB and RM-18		Convenience Store and the Reynolds House
<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>			
	Yes, there are several other commercial uses, including a pharmacy with a drive through, in the immediate vicinity.			
<b>Physical Characteristics</b>	The Salem Lake Natural Area is site #17 of the Forsyth County Natural Heritage Inventory and is located approximately 1 mile north of the petition site. The Forsyth County Natural Heritage Inventory, completed in 1998 with a grant from the NC Natural Heritage Program, identified 23 significant natural sites in Forsyth County. The Salem Lake Natural Area was identified in the Natural Heritage Inventory as being of regional significance due to the rarity of the Granitic Flatrock natural community which consists of about five areas of exposed, level to slightly sloping flatrock.			
<b>Proximity to Water and Sewer</b>	Public water and sewer are available to the site.			
<b>Stormwater/ Drainage</b>	The site plan proposes a stormwater pond on the eastern portion of the site. A stormwater study is recommended.			
<b>Watershed and Overlay Districts</b>	The site is located in the Salem Lake Watershed, a WS-III regulated water supply watershed. The built upon area is limited to the greater of existing built upon area or: 12% without a stormwater control pond ("low density option") and 30% with a stormwater control pond.			
<b>Analysis of General Site Information</b>	The site is located within the Salem Lake WS-III Watershed and appears to be suitable 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>• Stormwater study condition</li> <li>• Watershed permit</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>
Waughtown Street	Major Thoroughfare	379'	9,600	15,600
Reynolds Park Road	Minor Thoroughfare	862'	8,800	16,100
<b>Proposed Access Point(s)</b>	Driveway onto Waughtown Street and Reynolds Park Road			



<b>Planned Road Improvements</b>	The Thoroughfare Plan recommends a three lane section with widened outside lanes, curb and gutter and sidewalks for Reynolds Park Road.
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: IP and RS-9</u> The majority of the site is zoned IP. No trip generation rates are available for general use IP zoning.</p> <p><u>Proposed Zoning: HB-S</u> 14,760 / 1,000 = 14.76 x 88.16 (Pharmacy/Drug Store w/ Drive Thru Trip Rate) = 1,301 Trips per Day</p>
<b>Sidewalks</b>	There are no sidewalks currently located in the general area. The proposed site plan illustrates sidewalks along the site frontage of Waughtown Street and a portion of Reynolds Park Road. WSDOT and Planning staff recommend a sidewalk along the entire frontage of Reynolds Park Road, as recommended by the Thoroughfare Plan.
<b>Transit</b>	Route 29 along Reynolds Park Road
<b>Traffic Impact Study (TIS)</b>	The required TIS was submitted with the inclusion of an additional 12,500 sf of retail which has since been removed from the current request. Even with said additional intensification of the site, the TIS concluded that the request would have no significant impact to the operation of the adjacent transportation network.
<b>Analysis of Site Access and Transportation Information</b>	Access to the site is adequate. WSDOT and Planning staff recommend a sidewalk along the entire frontage of Reynolds Park Road, as recommended by the Thoroughfare Plan.
<b>Generalized Recommended Conditions</b>	<p><b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b></p> <ul style="list-style-type: none"> <li>Obtain driveway permit from NCDOT and WSDOT.</li> </ul>
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	Growth Management Area 2 – Urban Neighborhoods
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>Relevant Comprehensive Plan Recommendation(s): <i>Legacy</i> recommends stimulating new development in slow growth areas within the Municipal Services Area. It supports neighborhood serving commercial in close proximity to residential areas. It promotes focused commercial development that is designed for the pedestrian as well as the automobile. Retail and office buildings should be near the street and sidewalk. This reduces the travel distance for pedestrians and transit users and provides 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.</li> </ul>

<b>Relevant Area Plan(s)</b>	<i>The Southeast Winston-Salem Area Plan, 2002</i>					
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li><i>The Southeast Winston-Salem Area Plan</i> identifies this site as being inside a commercial area that needs improvement and along an Urban Corridor. The plan recommends strengthening the commercial area through public/private improvements and redevelopment of existing sites. Proposed development regulations include reduced front yard setbacks and requirements for side/or rear parking.</li> </ul>					
<b>Other Applicable Plans and Planning Issues</b>	The site forms part of a larger area known as the Kings Plaza Revitalizing Urban Commercial Area (RUCA) which is identified in the Revitalizing Urban Commercial Areas Study as an urban commercial area in need of revitalization. Specific standards of development are recommended for new construction in these areas to facilitate upgrading of the areas. Standards relate to fronting of new buildings on the street, main entrances on the street frontage, facades that enhance the pedestrian environment, screened/shielded outside storage and on-site utilities, parking at the side and rear and accommodation for street trees or other plant material.					
<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>	In order to be more consistent with the RUCA recommendations, <i>Legacy</i> , the adopted area plan and the more pedestrian oriented section of Waughtown Street to the west, Planning staff would prefer the proposed building be pulled up closer to at least one of the two adjacent public streets. However, the existing development pattern in the immediate vicinity is auto-oriented in character. In addition, the new proposed HB zoning district has a 40' front yard setback. Staff does recommend that the front row of parking located between the building and Waughtown Street and/or Reynolds Park Road be relocated to the northwestern side of the proposed building.					
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b>					
<ul style="list-style-type: none"> <li>Lighting condition</li> <li>Signage condition</li> </ul>						
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2812	RS-9 to HB	Withdrawn at 1-12-06 CCPB meeting	500' southeast	.56	Withdrawal	---

W-1428	R-4 to B-3-S (HB-S Parking, Commercial)	Approved 4-6-87	Across Waughtown Street	0.38	Denial	Approval
<b>Building Square Footage</b>						
		<b>Square Footage</b>		<b>Placement on Site</b>		
		14,760 sf		South central portion of site		
<b>Parking</b>						
		<b>Required</b>	<b>Proposed</b>	<b>Layout</b>		
		74 spaces	75 spaces	90° off-street surrounding building		
<b>Building Height</b>						
		<b>Maximum</b>		<b>Proposed</b>		
		60'		30'		
<b>Impervious Coverage</b>						
		<b>Maximum</b>		<b>Proposed</b>		
		30% with a stormwater control pond		29.08%		
<b>UDO Sections Relevant to Subject Request</b>						
<ul style="list-style-type: none"> <li>Chapter B, Article II, Section 2-1.3 (I) Highway Business District</li> </ul>						
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>						
		<b>(A) Legacy policies:</b>		See comments above		
		<b>(B) Environmental Ord.</b>		Yes		
		<b>(C) Subdivision Regulations</b>		NA		
<b>Analysis of Site Plan Compliance with UDO Requirements</b>						
The outstanding site plan issues are noted below. It is anticipated that a revised site plan will be submitted which complies with the requirements of the UDO.						
<b>REMAINING SITE PLAN ISSUES</b>						
<b>Issue</b>				<b>Status</b>		
Relocate the front row of parking between the building and Waughtown Street and Reynolds Park Road.				Awaiting revised site plan.		
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>						
<b>Positive Aspects of Proposal</b>				<b>Negative Aspects of Proposal</b>		
Request should provide an economic boost within the Kings Plaza RUCA.				The proposed site design consists of a conventional, auto-oriented building placement with the parking located between the building and the street.		
<b>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</b>						
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.						
<b><u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u></b>						
a. Developer shall obtain a driveway permit from NCDOT and City of Winston-Salem Public Works Department. Improvements shall include: <ul style="list-style-type: none"> <li>Widen Reynolds Park Road 18' from center with curb and gutter and sidewalk.</li> </ul>						

- 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.
- c. Obtain Salem Lake Watershed Permit.
- d. All site lighting shall have a maximum height of 20 feet. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights shall not produce more than ½ foot candle of light at the property line.

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

- a. Final plat shall be recorded in the office of the Register of Deeds.
- b. All site lighting shall have a maximum height of 20 feet. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights shall not produce more than ½ candle of light at the property line.

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

- a. Developer shall install all required storm water management devices.
- b. Developer shall install all improvements as per driveway permit.
- 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.

**OTHER REQUIREMENTS:**

- a. Signage shall be limited to one (1) monument sign with a maximum height of six (6) feet, and maximum copy area of 36 sq. ft.

**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-** March 8, 2007

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe moved continuance of the zoning map amendment to May 10, 2007.  
 SECOND: Paul Mullican

VOTE:

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

AGAINST: None

EXCUSED: None

**PUBLIC HEARING** - May 10, 2007

FOR: None

AGAINST: None

**WORK SESSION**

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

SECOND: Jerry Clark

VOTE:

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

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning

