



DOCKET #: W2675

PROPOSED ZONING:
 NO-S (Professional Office;
 and Medical and
 Surgical Offices)

EXISTING ZONING:
 RM12 & NO-S

PETITIONER:
 Jerry W. Martin and
 Elaine R. Martin
 for property owned by Same

SCALE: 1" represents 200'

STAFF: Gallaway

GMA: 3

ACRE(S): 0.96

MAP(S): 606862



February 18, 2004

Jerry W. Martin & Elaine R. Martin
P. O. Box 594
East Bend, NC 27018

RE: ZONING MAP AMENDMENT W-2675

Dear Mr. Martin & Ms. Martin:

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, AICP
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102
Keith Rogers, 3480 Sally Kirk Road, Winston-Salem, NC 27106
John Beeson, 503 High Street, Winston-Salem, NC 27101

ACTION REQUEST FORM

DATE: February 18, 2004
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Jerry W. Martin and Elaine R. Martin

SUMMARY OF INFORMATION:

Zoning map amendment of Jerry W. Martin and Elaine R. Martin from NO-S and RM-12 to NO-S (Professional Office; and Medical and Surgical Offices): property is located on the northwest side of Polo Road and northeast of the Robinhood Road/Polo Road intersection (Zoning Docket W-2675).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Jerry W. Martin and Elaine R. Martin, Docket W-2675

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 RM-12 and NO-S (Medical and Surgical Offices) to NO-S (Professional Office; and Medical and Surgical Offices) the zoning classification of the following described property:

Tax Block 3406, Tax Lots 4 and 10

Section 2. This Ordinance is adopted after approval of the site plan entitled Jerry W. Martin and Elaine R. Martin and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, to Jerry W. Martin and Elaine R. Martin.

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 Jerry W. Martin and Elaine R. Martin. 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 Jerry W. Martin and Elaine R. Martin, (Zoning Docket W-2675). 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 NO-S (Professional Office; and Medical and Surgical Offices), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the NO-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 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. Buildings shall be single family residential in scale and character, as approved by Planning staff.
 - b. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Department.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Developer shall repair any damage to the curb and gutter and the sidewalks to the specifications of the Public Works Department of the City of Winston-Salem.
 - b. All required fire hydrants shall be installed in accordance with the City Fire Department.
 - c. Developer shall install a stub connection to the northeastern property line as shown on the site plan and record a vehicular access easement to allow future cross access.

- **OTHER REQUIREMENTS**

- a. One (1) free standing sign shall be permitted at the entrance to the site on Polo Road. Said sign shall be a monument type with a maximum height of five (5) feet.

ZONING STAFF REPORT

DOCKET # W-2675
STAFF: Suzy Gallaway

Petitioner(s): Jerry W. Martin and Elaine R. Martin
Ownership: Same

REQUEST

From: RM-12 Residential Multifamily District; maximum density 12 units/acre and NO-S Neighborhood Office District(Medical and Surgical Offices)
To: NO-S Neighborhood Office District (Professional Office; and Medical and Surgical Offices)

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

Acreage: 0.96 acre

LOCATION:

Street: Northwest side of Polo Road northwest of Robinhood Road.
Jurisdiction: City of Winston-Salem.
Ward: Northwest.

SITE PLAN

Proposed Use: Professional Office and Medical and Surgical Offices.
Square Footage: 6,326 square feet.
Building Height: 40 foot maximum height.
Parking: Required: 24 spaces; Proposed: 26 spaces.
Bufferyard Requirements: Minimum 10 foot type I where adjacent to residential zoning.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: House converted to an office and a single family residence to be removed.

Adjacent Uses:

North-	Single family homes, zoned RS-9.
East-	Multifamily, zoned RM-18.
South-	Multifamily, zoned RM-12.
West-	Multifamily, zoned RM-18.

GENERAL AREA

Character/Maintenance: Well-maintained retail and office uses.

Development Pace: Rapid.

HISTORY

Relevant Zoning Cases:

1. W-2367; NO-S (Medical and Surgical Offices) to Site Plan Amendment; approved February 7, 2000; northwest side of Polo Road northwest of Robinhood Road; 0.90 acre; Planning Board and staff recommended approval.
2. W-2130; RM-12 to NO-S (Medical and Surgical Offices); approved March 3, 1997; northwest side of Polo Road northwest of Robinhood Road; 0.90 acre; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: The proposed site plan does not appear to significantly impact the property's existing physical features.

Topography: The subject property experiences an elevation change of approximately eight feet, falling from about 962 feet in the southeastern section of the site along Polo Road down to about 954 feet along the site's northeastern and western boundaries.

Vegetation/habitat: Small amounts of vegetation are located on the subject property along its northeastern and western boundaries.

Environmental Resources Beyond The Site: The proposed site plan does not appear to significantly impact environmental resources beyond the site.

Water Supply Watershed: The subject property is not located in a water supply watershed.

TRANSPORTATION

Direct Access to Site: Polo Road; Robinhood Road.

Street Classification: Polo Road – Minor Thoroughfare; and Robinhood Road – Major Thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Polo Road between Robinhood Road and Peace Haven Road = 5,700/18,500

Robinhood Road between Polo Road and Peace Haven Road = 20,000/23,900

Trip Generation/Existing Zoning: RM-12: 1 unit x 9.57 (SFR Trip Rate) = 9 Trips per Day; NO-S: 3,745/1,000 x 36.13 (Medical/Dental Office Trip Rate) = 135 Trips per Day

Trip Generation/Proposed Zoning: NO-S: 6,276/1,000 x 36.13 (Medical/Dental Office Trip Rate) = 226 Trips per Day

Sidewalks: Existing along the south side of Polo Road.

Transit: Route 21 along Robinhood Road.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): *Legacy* encourages of mix of uses in neighborhoods including neighborhood-serving office. Site development and design of buildings should be sensitive to the character of the neighborhood.

Area Plan/Development Guide: *Robinhood Road Area Plan* (adopted in 1986).

Relevant Development Guide Recommendation(s): The *Robinhood Road Area Plan* recommends that the subject property be used for low-density residential uses (0-5 units/acre). Although contrary to the contents of the plan, a rezoning to NO-S may make sense in this location given the higher density residential area to the northeast and the existing NO-S zoning to the south and southwest. A low- to moderate-intensity office use can serve as a good transition to the existing low-density residential area to the north if additional buffering and screening devices are utilized.

ANALYSIS

The current request is to rezone just under an acre from RM-12 and NO-S to NO-S. A portion of the property was zoned NO-S (Medical and Surgical Offices) in 1997. The petitioner is requesting to build an addition to the rear of the existing converted house. Also the petitioner is requesting to remove the single family home at the rear of the property and build a one and a half story office building that is residential in scale and character. The new design of the site will also allow the petitioner to remove the asphalt currently in front of the house closest to Polo Road, allowing for landscaping and grass, thus creating a more residential appearance.

The area plan does not call for the site to be office, but staff is of the opinion that the size of the site is not feasible for single family as recommended by the area plan. In addition, staff is of the opinion the NO-S would make a good transition from the single family north of the site to the moderate and high density multifamily to the east, west and south of the site.

The petitioner has been very receptive to staff concerns regarding location of the rear building as well as impervious surface cover. They have agreed to rework their site plan to pull the rear building away from the rear property line and are redesigning their parking area to significantly reduce the amount of impervious coverage.

The request is consistent with existing conditions in the area, even offering improvements to the property fronting Polo Road, by removing parking from the front yard. It is also consistent with *Legacy* recommendations and should be a benefit to the community. Therefore, staff recommends approval.

FINDINGS

1. The petitioner is requesting to build an addition to the rear of the existing converted house and build a one and a half story office building that is residential in scale and character.

2. NO-S would make a good transition from the single family north of the site to the moderate and high density multifamily to the east, west and south of the site.
3. The petitioner has agreed to address staff concerns regarding impervious surface and building location from the rear property line.
4. The request is consistent with existing conditions in the area.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
 - a. 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**
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 - b. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Department.
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 - a. Developer shall repair any damage to the curb and gutter and the sidewalks to the specifications of the Public Works Department of the City of Winston-Salem.
 - b. All required fire hydrants shall be installed in accordance with the City Fire Department.
- **OTHER REQUIREMENTS**
 - a. One (1) free standing sign shall be permitted at the entrance to the site on Polo Road. Said sign shall be a monument type with a maximum height of five (5) feet.

PUBLIC HEARING - February 12, 2004

FOR: None

AGAINST: None

WORK SESSION

MOTION: Dara Folan 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: Bost, Clark, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Norwood

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning