



DOCKET #: W2625
 (continued from 5/8/03
 and 6/12/03 CCPB meeting)

PROPOSED ZONING:
 LO-S (Professional Office;
 Offices, Miscellaneous;
 Medical and Surgical Offices)

EXISTING ZONING:
 RS9

PETITIONER:
 GTP-One, LLC

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 0.48

MAP(S): 600850



July 23, 2003

GTP-One, LLC
c/o Jack Stewart
P. O. Box 24296
Winston-Salem, NC 27114

RE: ZONING MAP AMENDMENT W-2625

Dear Mr. Stewart:

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
John Richardson, 1531A Westbrook Plaza Drive, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: July 23, 2003
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 GTP-One, LLC

SUMMARY OF INFORMATION:

Zoning map amendment of GTP-One, LLC from RS-9 to LO-S (Professional Office; Offices, Miscellaneous; and Medical and Surgical Offices): property is located on the north side of Randall Street west of Jonestown Road (Zoning Docket W-2625).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: BOST, DOYLE, FOLAN, KING, LAMBE, NORWOOD
AGAINST: CLARK, EICKMEYER, GLENN
SITE PLAN ACTION: CONFORMS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of GTP-One, LLC, Docket W-2625

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 LO-S (Professional Office; Offices Miscellaneous; and Medical and Surgical Offices) the zoning classification of the following described property:

Tax Block 3906, Tax Lot 204A

Section 2. This Ordinance is adopted after approval of the site plan entitled GTP-One, LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, to GTP-One, LLC.

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 GTP-One, 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 GTP-One, LLC, (Zoning Docket W-2625). 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 LO-S (Professional Office; Offices Miscellaneous; 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 LO-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 BUILDING PERMITS**
 - a. On site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
 - b. Petitioner shall obtain a staff change from the Planning Department for Zoning Docket W-1799 to interconnect the two sites.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. All required fire hydrants shall be installed in accordance with the City Fire Department.
- **OTHER REQUIREMENTS**
 - a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet.
 - b. No on site lighting shall be taller than 25 feet and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent residential properties.

DAVID - some clarifications:

Building, b - interconnect which two sites?

Other, b - if read literally, this says no on-site lighting shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent ...

ZONING STAFF REPORT

DOCKET # W-2625
STAFF: Gary Roberts

Petitioner(s): GTP-One, LLC
Ownership: Same

CONTINUANCE HISTORY

The petitioner requested a continuance from the May 8, 2003 and the June 12, 2003 Planning Board meetings. No further continuances may be granted.

REQUEST

From: RS-9 Single Family Residential District
To: LO-S Limited Office District, (Professional Office; Offices Miscellaneous; 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: 0.48 acre

LOCATION:

Street: North side of Randall Street west of Jonestown Road.
Jurisdiction: City of Winston-Salem.
Ward: West.

SITE PLAN

Proposed Use: Offices.
Square Footage: 2,560 sf.
Building Height: One story.
Parking: Required: 13 spaces; proposed: 20 spaces.
Bufferyard Requirements: 15 foot type II bufferyard adjacent to RS-9.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Single family residence.

Adjacent Uses:

North -	Small scale offices zoned LO-S.
East -	Small scale offices zoned LO-S.

South - Single family residences zoned RS-9.
West - Single family residence zoned RS-9.

GENERAL AREA

Character/Maintenance: Established single family neighborhood to the south and west with some adjoining small scale office uses in good maintenance.

Development Pace: Slow to moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Removal of existing structure and some mature vegetation to accommodate proposed improvements shown on site plan.

Topography: Moderate slope downward from the southeast to the northwest.

Vegetation/habitat: Typical residential yard with several mature large variety trees.

Environmental Resources Beyond the Site: No environmental resources beyond the subject property are impacted as a result of the proposal.

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

TRANSPORTATION

Direct Access to Site: Randall Street which connects to Jonestown Road; Country Club Road via private access easement.

Street Classification: Randall Street – Local Road; Jonestown Road – Major Thoroughfare; Country Club Road – Major Thoroughfare

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

Jonestown Road between US 421 and Country Club Road = 18,000/23,900

Note: Country Club Road scheduled to become 5 lane cross section in 2004

Country Club Road between Peace Haven and Jonestown Road = 19,000/18,600

Trip Generation/Existing Zoning: RS-9

$0.48 \times 43,560 / 9,000 = 2 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 19 \text{ Trips per Day}$

Trip Generation/Proposed Zoning: LO-S

$2,560 / 1,000 \times 36.13 \text{ (Medical/Dental Office Trip Rate)} = 92 \text{ Trips per Day}$

Interior Streets: Access will be provided through an adjacent LO-S driveway connecting Randall Street and Country Club Road.

Sidewalks: None exist along Randall Street.

Transit: Route 43 along Jonestown Road.

HISTORY

Relevant Zoning Cases:

1. W-1799; R-5 to R-1-S (Offices, Miscellaneous; Professional Office; Banking and Financial Services; and Medical and Surgical Offices); approved December 21, 1992; north side of Randall Street west of Jonestown Road, adjoins eastern and northern border of current site; 0.62 acre; Planning Board and staff recommended approval.

2. W- 946; R-5 to R-1-S (Offices, Miscellaneous; Professional Office; Banking and Financial Services); approved May 17, 1982; south side of Country Club Road, west of Jonestown Road; 0.76 acre; Planning Board recommended approval and staff recommended denial. This case was heard prior to the adoption of the *Country Club/Jonestown Area Plan*.
3. W- 945; R-5 to R-1-S (Medical and Surgical Offices); approved May 17, 1982; northwest corner of Jonestown Road and Randall Street; 0.37 acre; Planning Board recommended approval and staff recommended denial. This case was heard prior to the adoption of the *Country Club/Jonestown Area Plan*.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): *Legacy* promotes non-residential uses in and adjacent to neighborhoods that would serve the surrounding residential areas. *Legacy* also points out the need to protect viable neighborhoods from inappropriate commercial encroachment.

Area Plan/Development Guide: *Country Club/Jonestown Area Plan (1985)*.

Relevant Development Guide Recommendation(s): The *Country Club/Jonestown Area Plan* recommends that the subject property only be allowed to convert to office under certain circumstances. Since the subject property is a second-tier site, the plan recommends that conversion should only be allowed if the first and second tiers are converted as one unit [per the Jonestown-US 421 specific site study (pages 28-30 of the area plan)]. When converted, all parking should be located in the rear as oriented toward Jonestown Road, the site should utilize interior site service roads, buildings shall be no more than two stories high, and site lighting shall be minimized with no light taller than 25 feet.

ANALYSIS

The subject request is to rezone 0.48 acre located on the north side of Randall Street east of Jonestown Road from RS-9 to LO-S. Currently located on the property is a single family dwelling which is proposed to be removed. The driveway for the proposed office is zoned LO-S and also serves as the secondary access to a small pair of office buildings which have primary access onto Country Club Road. Within this office development, a third building site approved in 1992 and directly north of the subject property, remains undeveloped. East of the subject property and fronting on Jonestown Road are similar scaled office buildings zoned LO-S. The predominant character of Randall Street, is however, single family residential. Across the street and directly adjacent to the subject property are four well maintained single family residences zoned RS-9. Similar dwellings continue westward along Randall Street.

The proposed office building and off street parking are oriented internally to the site with access via the above-mentioned existing driveway. While the scale of the proposed building is comparable to the adjoining single-family residences, staff has concerns about the “domino”

effect such a development would have on an otherwise stable residential enclave. The property is located within the area covered by the *Country Club/Jonestown Area Plan*. The plan only recommends office use for the subject property if certain conditions are met. Primarily, consecutively owned tax lots up to 450 feet west of Jonestown Road must be developed in a comprehensive manner. Neither of these conditions is present with the subject request. In the Randall Street area the first tier of properties along Jonestown Road are already developed into LO-S and LB-S uses and are in separate ownership. The subject property clearly relates more to the residential homes along Randall Street than the previously developed office and commercial uses along Jonestown Road or Country Club Road.

Although the subject site is directly adjacent to the LO-S site to the north, the impact onto the existing residence is minimal as it adjoins the rear property line. Randall Street is a relatively narrow, quite residential street with ribbon paving. Should the subject request be approved, it will establish a clear, non-residential advancement deep into the Randall Street neighborhood and directly impact the four previously mentioned single family houses. The petitioner proposes to address this compatibility concern by orienting the office to face Country Club Road with an earthen berm to screen the building from residences across Randall Street. Staff believes, however, that the proposed site plan does not protect single family neighborhoods from inappropriate non-residential encroachment, nor does the subject request satisfy the intent of either the adopted area plan or *Legacy*.

FINDINGS

1. *Legacy* stresses the need to protect viable neighborhoods from inappropriate commercial encroachment.
2. The *Country Club/Jonestown Area Plan* only recommends office conversion of the subject property when developed in unison with properties which front along Jonestown Road and when under the same ownership.
3. The proposed use change represents substantial non-residential encroachment into the Randall Street neighborhood.
4. If approved, this proposal would establish precedent for further encroachment into the neighborhood on Randall Street, Eastwin Drive, and Southwin drive.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

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

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
 - a. On site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
 - b. Petitioner shall obtain a staff change from the Planning Department for Zoning docket W-1799 to inter connect the two sites.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. All required fire hydrants shall be installed in accordance with the City Fire Department.
- **OTHER REQUIREMENTS**
 - a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet.
 - b. No on site lighting shall be taller than 25 feet and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent residential properties.

PUBLIC HEARING - May 8, 2003

FOR: None

AGAINST: None

WORK SESSION

MOTION: Dara Folan moved continuance of the zoning map amendment and site plan to June 12, 2003.

SECOND: Philip Doyle

VOTE:

FOR: Avant, Bost, Clark, Doyle, Folan, King, Norwood

AGAINST: None

EXCUSED: None

PUBLIC HEARING - June 12, 2003

FOR: None

AGAINST: None

WORK SESSION

MOTION: Arnold King moved continuance of the zoning map amendment and site plan to July 10, 2003.

SECOND: Philip Doyle

VOTE:

FOR: Bost, Clark, Doyle, Eickmeyer, Folan, Glenn, King, Lambe

AGAINST: None

EXCUSED: None

PUBLIC HEARING - July 10, 2003

Gary Roberts presented the staff report.

FOR:

John Richardson, 1531A Westbrook Plaza Drive, Winston-Salem, NC 27103

Submitted response to staff report.

The proposal we have does no harm.

It actually improves the area.

There are many businesses in this area.

There are 11 commercial uses and 11 residential uses in this immediate area on Randall Street.

Approval of this request would be a 2-3% change in the balance of residential and commercial.

The type of building that is going in will benefit the area. The back of the building faces Randall Street but it will be designed to look like the front of the building.

There are residences out there, but it is already a mixed neighborhood.

This would be the fourth commercial access on Randall Street.

This removes a potential environmental hazard (asphalt shingled home), and will be a single story brick home-looking building.

This does not blend in with the businesses on Country Club Road and Jonestown Road because it is designed to fit into the neighborhood.

This will actually reinforce the residential character of Randall Street.

Jack Stewart, 2008 Portia Lane, Kernersville, NC 27284

We had a good neighborhood meeting and they were pretty delighted with what we had planned.

Council member Robert Clark came to the meeting and asked people to contact him if they had objections or questions. No one has done so.

This is a continuation of Country Club Road.

AGAINST: None.

WORK SESSION

During discussion by the Planning Board, the following point was made:

1. Petitioner owns the LO-S lot north of this and the one further north on Country Club Road.

MOTION: Arnold King moved approval of the zoning map amendment.

SECOND: Philip Doyle

VOTE:

FOR: Bost, Doyle, Folan, King, Lambe, Norwood

AGAINST: Clark, Eickmeyer, Glenn

EXCUSED: None

SITE PLAN MOTION: Arnold King certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Philip Doyle

VOTE:

FOR: Bost, Clark, Doyle, Eickmeyer, Folan, Glenn, King, Lambe, Norwood

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning