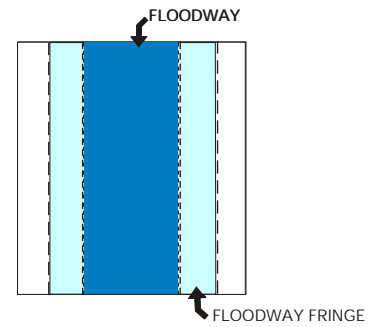


DOCKET #: W2659

PROPOSED ZONING:
LB-S (Multiple Commercial Uses)

EXISTING ZONING:
LO

PETITIONER:
Westgate Circle Company
for property owned
by Minerva Savage



SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRE(S): 2.17

MAP(S): 612874



November 19, 2003

Minerva Y. Savage
385 Plymouth Avenue
Winston-Salem, NC 27104

RE: ZONING DOCKET W-2659

Dear Ms. Savage:

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
Robert D. Richardson, 3980 Walnut Hills Drive, Winston-Salem, NC 27106
Westgate Circle Company, c/o Robert D. Richardson, 3809-C Forrestgate Drive,
Winston-Salem, NC 27114

ACTION REQUEST FORM

DATE: November 19, 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 Westgate Circle Company for property owned by Minerva Y. Savage

SUMMARY OF INFORMATION:

Zoning map amendment of Westgate Circle Company for property owned by Minerva Y. Savage from LO to LB-S (Furniture and Home Furnishings Store; Retail Store, Specialty or Miscellaneous; Medical and Surgical Offices; Child Care, Drop-In; Offices, Miscellaneous; Professional Office; and Recreation Services, Indoor): property is located on the southwest side of Reynolda Road south of Yadkinville Road (Zoning Docket W-2659).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Westgate Circle Company
for property owned by Minerva Y. Savage,
Docket W-2659

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 LO to LB-S (Offices, Miscellaneous; Professional Office; and Recreation Services, Indoor) the zoning classification of the following described property:

Tax Block 3468, Tax Lots 2A, 5H, 6L, and 6K

Section 2. This Ordinance is adopted after approval of the site plan entitled Westgate Circle Company for property owned by Minerva Y. Savage and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, to Westgate Circle Company for property owned by Minerva Y. Savage.

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 Westgate Circle Company for property owned by Minerva Y. Savage. 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 Westgate Circle Company for property owned by Minerva Y. Savage, (Zoning Docket W-2659). 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 LB-S (Offices, Miscellaneous; Professional Office; and Recreation Services, Indoor), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the LB-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 cordon off areas shown on the site plan as natural area proposed to be left undisturbed.
 - b. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. 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. On site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
 - b. Driveway permit shall be issued by the North Carolina Department of Transportation.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. All required fire hydrants shall be installed in accordance with the City Fire Department.
 - b. Developer shall complete any improvements, as required by the North Carolina Department of Transportation.

- c. Parking lot and bufferyard trees shall be of a large variety as defined in UDO Section 3-4.10.
- d. Developer shall install enhanced streetyard plantings as shown on site plan.
- e. Developer shall install a minimum five (5) foot wide sidewalk along the entire frontage of the property along Reynolda Road adjacent to the right-of-way to City of Winston-Salem standards.

- **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 15 feet and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent residential properties.

ZONING STAFF REPORT

DOCKET # W-2659
STAFF: Gary Roberts

Petitioner(s): Westgate Circle Company
Ownership: Minerva Y. Savage

REQUEST

From: LO Limited Office District
To: LB-S Limited Business District (Offices, Miscellaneous; Professional Office; and Recreation Services, Indoor)

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

Acreage: 2.17

LOCATION

Street: Southwest side of Reynolda Road south of Yadkinville Road.
Jurisdiction: City of Winston-Salem.
Ward: Northwest.

SITE PLAN

Proposed Use: Indoor recreational and/or office use.
Square Footage: 18,000 square feet.
Building Height: One story.
Parking: Required: 90; Proposed: 100
Bufferyard Requirements: 40 foot type IV bufferyard adjacent to RS-9.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Property is undeveloped.
Adjacent Uses:

- East- Reynolda Road and undeveloped property zoned RS-9.
- South- Commercial use zoned LB-S.
- Southwest- Undeveloped property zoned RS-9.
- West- Undeveloped property zoned RS-9.
- Northwest- Commercial use zoned LB-S.

GENERAL AREA

Character/Maintenance: Mixture of well maintained single family residences and small scale office and commercial uses along a major thoroughfare.

Development Pace: Slow to moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Significant removal of mature vegetation and grading to accommodate proposed improvements shown on site plan.

Topography: The subject site has a steep slope along the western edge of the property boundary, quickly falling from about 860 feet in the southwest corner of the property down to about 830 feet in the southern corner of the proposed building. Along the rest of the property, the elevation rises from about 800 feet in the northwest section of the property up to about 832 feet in the southeastern section of the property.

Streams: Mill Creek lies approximately 250 feet directly west from the northwest corner of the subject property.

Vegetation/habitat: Currently, the subject property is covered almost entirely with vegetation. The proposed site plan will remove most of this vegetation but maintain significant existing vegetation adjacent to residentially zoned properties.

Floodplains: Floodway and floodway fringe areas lie to the west along Mill Creek, but they do not encroach on the subject property.

Environmental Resources Beyond The Site: The proposed site plan does not appear to 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: Reynolda Road.

Street Classification: Reynolda Road – Major Thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Reynolda Road between Valley and Yadkinville Roads = 26,000/30,400

Trip Generation/Existing Zoning: LO.

No trip generation numbers available as property is undeveloped.

Trip Generation/Proposed Zoning: LB-S.

18,000/1,000 x 22.88 Recreational Community Center Trip Rate = 410 Trips per Day

Planned Road Improvements: Yadkinville Road between Reynolda and Northern Beltway; from 2 lanes to 3 lanes; Not regionally significant; 2021-2025

Traffic Impact Study recommended: No TIS is required.

Sidewalks: East side of Reynolda Road and on the west side of Reynolda Road 200± feet northwest of the subject property at the entrance of the Bethabara Park Trail.

Transit: Route 16 along Reynolda Road.

Bicycle Route: None.

HISTORY

Relevant Zoning Cases:

1. W-1952; HB and RS-9 to HB; approved February 6, 1995; east corner of Reynolda Road/NC67 and Bethabara Park Boulevard. 8.74 acres; Planning Board and staff recommended approval.
2. W-762; R-1 to B-3-S (Offices; Stores or Shops, Retail); approved February 4, 1980; southwest side of Reynolda Road south of Yadkinville Road, adjacent to northwestern side of subject property; 0.4 acre; Planning Board recommended approval, staff recommended denial.
3. W-697; R-1 to B-3-S (Stores or Shops, Retail); approved January 2, 1979; southwest side of Reynolda Road northwest of Valley Road, adjacent to southern side of subject property; 0.67 acre; Planning Board recommended approval, staff recommended denial.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): *Legacy* calls for a mixture of land uses within and on the edges of neighborhoods where the non-residential development is scaled and designed to be compatible with residential uses.

Area Plan/Development Guide: *Polo/Reynolda Road Area Plan* (1985).

Relevant Development Guide Recommendation(s): The Development Plan, (page 28) contained in the *Polo/Reynolda Road Area Plan*, recommends the subject property be developed for office use.

ANALYSIS

The subject request is to rezone 2.17 acres located on the southwest side of Reynolda Road south of Yadkinville Road from LO to LB-S. The petition is for indoor recreational and general office uses. Two separate structures totaling 18,000± square feet are proposed.

The property is currently undeveloped and heavily vegetated with many mature, canopy trees. It is located within a relatively small, commercial and office strip lining one side of Reynolda Road (NC 67). Directly on either side of the site are two relatively small LB-S sites with the principle structures being less than 3,000 square feet each. Undeveloped RS-9 property is located behind the site and across Reynolda Road. Substantial topographic changes also characterize the general area. Northwest of the subject property along Reynolda Road and across Mill Creek, is a community scale, strip commercial area. Southeast of the site in the direction of downtown are single family residences zoned RS-9. Further southeast is a second established community activity center loosely centered on the Reynolda Manor Shopping Center and the intersection of Reynolda Road and Fairlawn Drive.

The revised site plan and reduced list of requested uses are both the result of considerable dialogue between the petitioner and staff. In an effort to improve the streetscape and make the proposed buildings appear more consistent with the scale of the adjacent structures, the buildings have been relocated and the parking lot placed in between. By orienting the larger building closer to and perpendicular with Reynolda Road, not only do the buildings become more pedestrian friendly from an access standpoint, but the visual dominance of the 100± space parking lot is also diminished. The petitioner has also agreed to Winston-Salem's Department of Transportation and planning staff's request for a sidewalk along the entire frontage of Reynolda Road. Although clearly the present level of pedestrian traffic along this five lane major thoroughfare is minimal, the site is 200± feet from the Reynolda Road access to the Bethabara Park Trail. Combined with the physical fitness aspect of the proposed use, such a linkage at this location could provide considerable public benefits and increased greenway use in the future. The agreed upon site plan conditions also include an enhanced streetyard planting, use of large variety trees, a five foot monument sign and shoebox lighting. The list of requested uses has been reduced from seven to three.

The *Polo/Reynolda Road Area Plan*, 1985, recommends office use for the subject property. While staff is clearly not supportive of conventional, large scale, strip commercial development within the immediate area of the subject property, staff also recognizes the level of intensity and lack of site plan review opportunities that exist under the present LO general designation. For example, a bank, medical office facility or a 26 unit multifamily complex could be constructed on the property at the present time without any of the above mentioned site plan improvements. From a traffic generation standpoint the proposed use of indoor recreation would generate only 410 ± trips per day compared with 650 trips per day for comparably sized medical office facility.

In summary, while staff would not be supportive of conventional, large scale, strip commercial development within the general area, the existence of LB-S on both sides of the subject property, along with the very limited list of requested uses and numerous site plan considerations, staff recommends approval of the subject request.

FINDINGS

1. *Legacy* calls for a mixture of land uses within and on the edges of neighborhoods where the non-residential development is scaled and designed to be compatible with residential uses.
2. *Polo/Reynolda Road Area Plan* recommends the subject property be developed for office use.
3. The subject property is located between two small scale, LB-S properties.
4. The subject request includes numerous site plan enhancements which may not be provided under the current general use designation.

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 cordon off areas shown on the site plan as natural area proposed to be left undisturbed.
 - b. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

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PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Carol Eickmeyer 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