

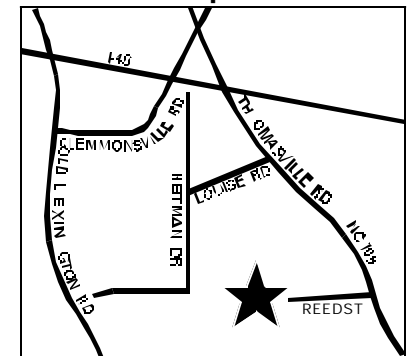
DOCKET #: W2534
 (Continued from 3/14/02
 CCPB meeting)

PROPOSED ZONING:
 Site Plan Amendment

EXISTING ZONING:
 LI-S

PETITIONER:
 Food Bank of
 Northwest North Carolina

Location Map:



SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 1.66

MAP(S): 636838, 642838



DRAFT ZONING STAFF REPORT

DOCKET # W-2534

STAFF: Gary Roberts

Petitioner(s): Food Bank of Northwest North Carolina

Ownership: Same

CONTINUANCE HISTORY

On March 14, 2002 the Planning Board continued this request to the April 11, 2002 meeting to allow the petitioner to address concerns expressed by adjoining property owners and the Planning Board. In addition, the Board encouraged the petitioner to consider alternative site plans to mitigate the impact on the surrounding community. As of this writing, no revised site plan has been received from the petitioner.

REQUEST

From: LI-S Limited Industrial District (Offices, Miscellaneous; Professional Office; Banking and Financial Services; Warehousing; Wholesale Trade A; and Wholesale Trade B - TWO PHASE)

To: Site Plan Amendment

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

Acreage: 1.66 acres

LOCATION

Street: Western terminus of Reed Street, southwest of Thomasville Road.

Jurisdiction: City of Winston-Salem.

Ward: Southeast.

SITE PLAN

Proposed Use: Food distribution and warehousing.

Square Footage: 11,479 square foot portion of an addition to an existing building.

Building Height: One commercial story.

Parking: Required: 10 spaces; proposed: 10 spaces.

Bufferyard Requirements: Type IV buffer adjacent to RS-9 (current requirement is a 50' undisturbed buffer).

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Food warehouse and distribution facility.

Adjacent Uses:

- North - Aigis Mechtronics zoned LI-S.
- East - Remainder of warehouse facility zoned LI.
- South - Reeds Enterprises zoned GI-S.
- Southwest - Undeveloped property zoned RS-9.
- West - Single family residences zoned RS-9.

GENERAL AREA

Character/Maintenance: Well maintained industrial facilities to the east and moderately well maintained single family residences to the west.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Significant encroachment into existing 50-foot undisturbed buffer to accommodate improvements shown on site plan.

Topography: The property slopes from an approximate elevation of 910 in the northern portion of the site to an approximate elevation of 898 in the southern portion of the site.

Streams: None

Vegetation/habitat: The subject property is about half vegetated (along the western property line). According to the plans, this vegetated area was to be preserved as part of a "no disturb vegetative buffer" under a previous site plan approval. As part of this proposal, there is substantial clearing, grading and building (asphalt/building intrusion) in the "no disturb vegetative buffer" area. The parking area goes 35 feet into the 50-foot buffer (leaving a buffer of 15 feet).

Water Supply Watershed: Site is not within the boundaries of a water supply watershed.

TRANSPORTATION

Direct Access to Site: Reed Street.

Street Classification: Local Street.

Trip Generation/Existing Zoning: LI-S

$29,220/1,000 \times 4.96$ (Warehousing Trip Rate) = 144 Trips per Day +

$3,822/1,000 \times 11.01$ (General Office Trip Rate) = 42 Trips per Day = 186 Total Trips per Day

Trip Generation/Proposed Zoning: Site Plan Amendment

$60,681/1,000 \times 4.96$ (Warehousing Trip Rate) = 300 +

$8,115/1,000 \times 11.01$ (General Office Trip Rate) = 89 Trips per Day = 389 Total Trips per Day

Traffic Impact Study required: No.
Sidewalks: North side of Reed Street.
Transit: Route 26, along Nancy Lane.

HISTORY

Relevant Zoning Cases:

1. W-2515; RS-9 to RS-9-S (Residential Building, Single Family; Manufactured Home, Class A); approved December 17, 2001; west side of Tyler Drive, 1,100 feet southwest of current site; 0.25 acre; Planning Board and staff recommended approval.
2. W-1629; R-4 to I-2-S (Offices; Warehouses, bulk storage, or wholesale distribution centers - TWO PHASE); approved January 2, 1990; 1.66 acres; current site; Planning Board and staff recommended approval.
3. W-487; R-4 to I-2; denied October 21, 1974; current site; Planning Board and staff recommended denial.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): *Legacy's* goal for economic vitality is in part to "... expand existing large and small businesses to provide a broad range of employment opportunities ...". Speaking to preservation of existing neighborhoods one of *Legacy's* objectives is "protect residential areas from inappropriate commercial and industrial encroachment."

Area Plan/Development Guide: *US 311 Area Plan* (1984).

Relevant Development Guide Recommendation(s): The area plan recommends that the subject property be zoned for industrial uses.

ANALYSIS

The current request is a site plan amendment to allow a 31,461 square foot addition to the existing 29,220 square foot Second Harvest Food Bank of Northwest North Carolina facility located on Reed Street. Surrounding the subject property on three sides are similar large scale industrial operations. Immediately west of the site, however, is a single family residential neighborhood with ten houses situated approximately 100 feet from the proposed rezoning.

In 1974 the current site was petitioned for rezoning from single family residential to industrial (see W-487), yet was denied due to potential encroachment and negative impact to said adjoining neighborhood. A subsequent special use petition was filed in 1990 and approved due to its 110 foot building setback line and 50-foot "No Disturbance" area along the western boundary line. The present facility was constructed shortly thereafter.

Upon inspection of the subject property, staff observed the important role which the extended building setback and undisturbed buffer area now play in preserving the integrity of the abutting single family neighborhood. While the grade of the existing warehouse and distribution facility is approximately six feet below that of the adjacent residential property, the scale of the structure combined with the circulation area for the tractor trailers clearly necessitate such protective measures. The site plan shows the proposed building expansion extending 70 feet into the above mentioned 110 foot building setback and an encroachment of 35 feet into the natural "no disturbance" area with vehicular circulation.

Staff understands the desire of the Food Bank to expand at the existing location. However, the site plan which was submitted reflects a substantial encroachment toward the single family residential property to the west. It is hoped that an alternative plan can be developed which meets the long term needs of the petitioner while preserving the harmony of the neighboring homes. Better utilization of the now vacant northern portion of the site may work toward achieving this balance. Staff recommends denial of the request as submitted.

FINDINGS

1. *Legacy* recommends protection of residential areas from inappropriate commercial and industrial encroachment.
2. The *US 311 Area Plan* recommends the subject property be zoned for industrial uses.
3. The proposed site plan amendment would result in an unacceptable encroachment into the originally required 50-foot undisturbed buffer.
4. Staff could support a similar sized expansion to the existing facility within the parameters of the current LI-S zoning.

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 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.
 - b. Developer shall cordon off all areas shown on the site plan as buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Trees in all these areas shall be protected from grading encroachment in accordance with UDO Section 3-4.2(H)(3).

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. All required storm water management devices must be installed per the approval of the Public Works Department of the City of Winston-Salem.

PUBLIC HEARING - March 14, 2002

Gary Roberts presented the staff report.

FOR:

Nan Griswold, Executive Director, Second Harvest Food Bank of Northwest North Carolina,
3655 Reed Street, Winston-Salem, NC 27107

Distributed information.

Thanked staff in spite of their recommendation.

We want to be good neighbors.

We are a ministry, but it has to be run as a business because we have so much tangible product.

We save the 400 organizations we work with a lot of money.

It is very important to us that we be good neighbors.

We've been in this current facility since 1991. The need continues to grow.

We understand the buffer zone. However, we have many more requests for help during this time and we need to expand. This building may have the Food Bank's name on it, but it is for 400 agencies.

Opaque fence, eight foot high, shrubbery on both sides

Would like to be able to proceed with this plan

We haven't heard from the neighbors. We had an open house and invited the neighborhood. No one attended. There doesn't seem to be any opposition from the neighborhood.

We pick up from 39 grocery stores every day.

If we have to move, we would have to sell to the highest bidder. Many of the uses which would be interested would be 24-7 operations like the truck terminal next to us.

We do need the road to go around.

We are open five days a week. We have volunteers one Saturday a month to help sort and grade foods.

We could move to another county if we need to. We really don't want to do that.

AGAINST:

Michelle Wardlow, 1060 Betty Drive, Winston-Salem, NC 27107

My house adjoins this site. My children and the neighboring children play near this site and we are concerned about traffic coming around the western side of the building. We're concerned about kid's safety. Don't want to see the building devalue homes.

Barbara V. Bennett, 1056 Betty Drive, Winston-Salem, NC 27107

The Food Bank is directly behind my home. I can see the building all year round and hear the noise. I don't think I could get what my house is worth now that they are here and expansion would simply hurt the value more.

I don't think being a good neighbor would be running me from my house. I oppose these.

Carolyn Hardt, 2001 New Walkertown Road, Winston-Salem, NC 27107

I'm in agreement with the mission of the Food Bank, but sometimes when we intend to do lofty things for people, there's unintended negative consequences. This diminishes our rental and sale values. This is a struggling neighborhood anyway and this would just add to the difficulties. There needs to be an alternative plan for the Food Bank.

The neighbors feel powerless and don't need to feel that way.

Please vote against it and ask the Food Bank to come back with an alternative plan if they want to stay on this site.

Tannon Hardt, 2001 New Walkertown Road, Winston-Salem, NC 27107

This is a struggling neighborhood. We've made investments in this neighborhood and believe this would be detrimental to the neighborhood. We're also concerned about light pollution.

Ella M. Robinson, 1054 Betty Drive, Winston-Salem, NC 27107

My house is directly behind the Food Bank. I am very sympathetic with the cause of the Food Bank and support it wholeheartedly. Our home values may be low, but we have struggled to buy our homes and enjoy them. We would like that value to increase.

When we go out in the summertime, we don't want to look at the Food Bank.

I really oppose this and ask you to stop this now.

The building has already lowered our property value.

WORK SESSION

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

1. Check with Fire Dept. about possibly leaving the asphalt area on the west side of the building as access for emergency only and blocking it off the rest of the time.
2. John Bost - has there been discussion of continuance to allow further pursuit of expansion in different possibilities of layout? Nan Griswold indicated that the Food Bank is compartmentalized and it would be tremendously more expensive to expand in any other way than proposed.
3. Kerry Avant - would a continuance be in order to allow you to meet with the neighbors that you now know are opposed? Nan Griswold - if that's the best chances we have of working this out, yes.

4. Arnold King - would 30 days impact the financial campaign? Nan Griswold - yes, but we would be happy to do it.
5. Objective of continuance is for the Food Bank to explore options in other configurations, but also that the Food Bank could take the time to meet with the neighbors that do oppose this expansion and maybe come up with something that satisfies everybody.

MOTION: Kerry Avant moved continuance of the zoning map amendment and site plan to April 11, 2002.

SECOND: Arnold King

VOTE:

FOR: Avant, Bost, Clark, King, Norwood, Powell

AGAINST: None

EXCUSED: None

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Philip Doyle moved withdrawal of the site plan amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Jimmy Norwood

VOTE:

FOR: Bost, Clark, Doyle, King, Norwood, Powell

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning