



**DOCKET #:** W2455

**PROPOSED ZONING:**

HB-S (Multiple Business Uses)

**EXISTING ZONING:**

HB-S (Multiple Business Uses)

**PETITIONER:**

Blue Oak Limited Partnership

**SCALE:** 1" represents 200'

**STAFF:** Hughes

**GMA:** 3

**ACRE(S):** 1.042

**MAP(S):** 618890



March 15, 2001

Blue Oak Limited Partnership  
c/o Milton A. Turner, Chief Manager  
500 Henley Street, Suite 200  
Knoxville, TN 37902

RE: ZONING MAP AMENDMENT W-2455

Dear Mr. Turner:

The attached report of the Planning Board to the Board of Aldermen is sent to you at the request of the Aldermen. You will be notified by the City Secretary's Office of the date on which the Aldermen 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  
Stimmel Associates, P.A., 305 W. Fourth Street, Winston-Salem, NC 27101

**ACTION REQUEST FORM**

**DATE:** March 15, 2001  
**TO:** The Honorable Mayor and Board of Aldermen  
**FROM:** A. Paul Norby, AICP, Director of Planning

**BOARD ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of Blue Oak Limited Partnership

**SUMMARY OF INFORMATION:**

Zoning map amendment of Blue Oak Limited Partnership to add the use "Motor Vehicle, Repair and Maintenance" in a HB-S zoning district to the following approved uses: [Adult Day Care Center; Recreation Services, Indoor; Recreation Services, Outdoor; Arts and Crafts Studio; Broadcast Studio; Child Day Care Center; Medical or Dental Laboratory; Restaurant (with drive-through service); Restaurant (without drive-through service); Hospital or Health Care Center; Health Services, Miscellaneous; Building Materials Supply; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Convenience Store; Car Wash; Food or Drug Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous]: property is located at the southwest corner of Hanes Mill Road and North Summit Square Boulevard (Zoning Docket W-2455).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Blue Oak Limited Partnership,  
Docket W-2455

AN ORDINANCE AMENDING THE  
WINSTON-SALEM CITY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE CITY OF WINSTON-SALEM, N.C.

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BE IT ORDAINED by the Board of Aldermen 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 HB-S [Adult Day Care Center; Recreation Services, Indoor; Recreation Services, Outdoor; Arts and Crafts Studio; Broadcast Studio; Child Day Care; Medical or Dental Laboratory; Restaurant (without drive-through service); Restaurant (with drive-through service); Hospital or Health Care Center; Health Services, Miscellaneous; Building Materials Supply; Medical and Surgical Offices; Offices Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Convenience Store; Car Wash; Food or Drug Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous] to HB-S [Motor Vehicle Repair and Maintenance; Adult Day Care Center; Recreation Services, Indoor; Recreation Services, Outdoor; Arts and Crafts Studio; Broadcast Studio; Child Day Care; Medical or Dental Laboratory; Restaurant (without drive-through service); Restaurant (with drive-through service); Hospital or Health Care Center; Health Services, Miscellaneous; Building Materials Supply; Medical and Surgical Offices; Offices Miscellaneous; Professional Office; Banking and

Financial Services; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Convenience Store; Car Wash; Food or Drug Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous] the zoning classification of the following described property:

Tax Block 6329, Tax Lot 8

Section 2. This Ordinance is adopted after approval of the site plan entitled Goodyear - Hanes Mill Road and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to Blue Oak Limited Partnership.

Section 3. The Board of Aldermen 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 Goodyear - Hanes Mill Road. 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 Board of Aldermen

of the City of Winston-Salem

The Board of Aldermen 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 Blue Oak Limited Partnership, (Zoning Docket W-2455). 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 [Motor Vehicle Repair and Maintenance; Adult Day Care Center; Recreation Services, Indoor; Recreation Services, Outdoor; Arts and Crafts Studio; Broadcast Studio; Child Day Care; Medical or Dental Laboratory; Restaurant (without drive-through service); Restaurant (with drive-through service); Hospital or Health Care Center; Health Services, Miscellaneous; Building Materials Supply; Medical and Surgical Offices; Offices Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Convenience Store; Car Wash; Food or Drug Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous], approved by the Winston-Salem Board of Aldermen 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 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 OCCUPANCY PERMITS**
  - a. Developer shall install a minimum five (5) foot wide sidewalk to City of Winston-Salem specifications along the entire length of the property along Hanes Mill Road and North Summit Square Blvd.
  - b. Developer shall install curbing to City of Winston-Salem specifications wherever needed along the property frontage on the south side of Hanes Mill Road.
  - c. Any storm water management devices shall be installed.
  
- **OTHER REQUIREMENTS**
  - a. One (1) freestanding monument type ground sign shall be permitted in the southeast corner of the intersection of Hanes Mill Road and North Summit Square Boulevard with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.

## **ZONING STAFF REPORT**

**DOCKET #** W-2455  
**STAFF:** Suzy Hughes

Petitioner(s): Blue Oak Limited Partnership  
Ownership: Same

### **REQUEST**

**From:** HB-S Highway Business District [Adult Day Care Center; Recreation Services, Indoor; Recreation Services, Outdoor; Arts and Crafts Studio; Broadcast Studio; Child Day Care Center; Medical or Dental Laboratory; Restaurant (with drive-through service); Restaurant (without drive-through service); Hospital or Health Care Center; Health Services, Miscellaneous; Building Materials Supply; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Convenience Store; Car Wash; Food or Drug Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous]

**To:** HB-S Highway Business District [Motor Vehicle, Repair and Maintenance; Adult Day Care Center; Recreation Services, Indoor; Recreation Services, Outdoor; Arts and Crafts Studio; Broadcast Studio; Child Day Care Center; Medical or Dental Laboratory; Restaurant (with drive-through service); Restaurant (without drive-through service); Hospital or Health Care Center; Health Services, Miscellaneous; Building Materials Supply; Medical and Surgical Offices; Offices Miscellaneous; Professional Office; Banking and Financial Services; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Convenience Store; Car Wash; Food or Drug Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous]

**Summary:** The petitioner is requesting one additional use, "Motor Vehicle, Repair and Maintenance".

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

Acreage: 1.04 acres

### **LOCATION**

**Street:** Southwest corner of Hanes Mill Road and North Summit Square Boulevard.  
**Jurisdiction:** City of Winston-Salem.  
**Ward:** Northeast.



## **SITE PLAN**

Proposed Use: Multiple Business Uses.

Square Footage: 6,645 square feet.

Building Height: 23.5 feet.

Parking: Required: 36 spaces; proposed: 38 spaces.

Bufferyard Requirements: None required.

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

## **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: None.

Adjacent Uses:

- North - Across Hanes Mill Road is the new Wal-Mart site zoned HB-S.
- East - Across North Summit Square Boulevard is a site where a bank is under construction. It is zoned HB-S.
- South - ABC Store zoned HB-S.
- West - Significant buffering with a bank further west along University Parkway, zoned HB-S.

## **GENERAL AREA**

Character/Maintenance: Surrounding areas are predominantly under construction with well-maintained banks and businesses to the west along University Parkway. Apartments between a bank and the Wal-Mart site are moderately well maintained.

Development Pace: Fast.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Minor.

Topography: Topography maps show a slight slope down to the south.

Vegetation/habitat: Site has been cleared.

Constraints: None.

## **TRANSPORTATION**

Direct Access to Site: Hanes Mill Road; North Summit Square Blvd.

Street Classification: Hanes Mill Road - minor thoroughfare; North Summit Square Blvd - local street.

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

Trip Generation/Existing Zoning: HB-S

$6,645.3/1,000 \times 265.21$  (Bank Trip Rate) = 1,762 trips per day

Trip Generation/Proposed Zoning: HB-S

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## **HISTORY**

Relevant Zoning Cases:

1. W-2388; HB-S (Shopping Center) and RS-9 to HB-S (Shopping Center and Theater, Indoor); approved October 4, 1999; north side of Hanes Mill Road east of University Parkway; 49.92 acres; Planning Board recommended approval, staff recommended denial.
2. W-1852; R-6 to B-3-S (Multiple Business Uses - Two Phase); approved November 15, 1993; east of University Parkway on both the south and north side of Oak Summit Square (current site is part of this location); 31.99 acres; Planning Board and staff recommended approval.

## **CONFORMITY TO PLANS**

GMP Area (*Vision 2005*): Area 3: Urban.

Relevant Comprehensive Plan Recommendation(s): Development of activity nodes at planned locations; separation and buffering of commercial from residential uses; improvement of existing commercial areas, such as consolidation of driveways, improved landscaping, and reduced or more consistent signage; and encouraging consolidation of some commercial uses at shopping centers.

Area Plan/Development Guide: The site is not within the boundaries of a development guide or an area plan.

## **ANALYSIS**

This site was rezoned to business zoning on November 13, 1993. The petitioner has brought this 1.04 acre property in for rezoning at this time to request the addition of the use Motor Vehicle, Repair and Maintenance, which was not on the original zoning petition.

HB uses are consistent with the development of the surrounding property. The additional use being requested is often considered an intensive use and staff tries to not locate these adjacent to less intense zoning. The uses surrounding this site would not be negatively affected by the requested rezoning. Staff is of the opinion that the requested zoning and uses are appropriate at this location

HB-S zoning and the uses requested are consistent with *Vision 2005*. Staff recommends approval of the requested rezoning and its uses.

## **FINDINGS**

1. This petition is a request to rezone 1.04 acres from HB-S to HB-S, to add a use not requested on the original rezoning.

2. HB uses are consistent with the development of the surrounding property.
3. The uses surrounding this site would not be negatively affected by the requested rezoning.
4. Staff is of the opinion that the requested zoning and uses are appropriate at this location.

### **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 OCCUPANCY PERMITS**
  - a. Developer shall install a minimum five (5) foot wide sidewalk to City of Winston-Salem specifications along the entire length of the property along Hanes Mill Road and North Summit Square Blvd.
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  - c. Any storm water management devices shall be installed.
- **OTHER REQUIREMENTS**
  - a. One (1) freestanding monument type ground sign shall be permitted in the southeast corner of the intersection of Hanes Mill Road and North Summit Square Boulevard with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.

*[For information purposes only: The draft Legacy plan identifies the site as lying in the Suburban Neighborhoods area of the Municipal Services Area of the Growth Management Plan. This area contains most of the undeveloped land for future residential, commercial and industrial uses, and is appropriate for future urban and suburban development.]*

### **PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Norman Williams moved approval of the zoning map amendment.

SECOND: John Bost

VOTE:

FOR: Bost, King, Powell, Snelgrove, Williams

AGAINST: None

EXCUSED: None

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

SECOND: John Bost.

VOTE:

FOR: Bost, King, Powell, Snelgrove, Williams

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning