



DOCKET #: W2465

PROPOSED ZONING:
HB-S (Services, Business B)

EXISTING ZONING:
RS9

PETITIONER:
Olevia C. Whicker Estate

SCALE: 1" represents 200'

STAFF: Hughes

GMA: 4A

ACRE(S): 6.19

MAP(S): 648862



DRAFT ZONING STAFF REPORT

DOCKET # W-2465
STAFF: Suzy Hughes

Petitioner(s): Olevia C. Whicker Estate
Ownership: Same

REQUEST

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf
To: HB-S Highway Business District (Services, Business B) (No retail sales permitted)

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

Acreage: 6.19 acres

LOCATION

Street: Northwest side of Reidsville Road/U.S. 158 north of Grover Street.
Jurisdiction: City of Winston-Salem, extraterritorial zoning jurisdiction.
Ward: Closest ward is East.

SITE PLAN

Proposed Use: Services, Business B
Square Footage: 4,757 square feet.
Building Height: One Story.
Parking: Required: 14; proposed: 14
Bufferyard Requirements: Twenty foot type II bufferyard along adjoining residentially zoned districts.
Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: One single family home. The rest of the site is wooded valley.

Adjacent Uses:

- North - Vacant land zoned RS-9.
- Southeast - Across Reidsville Road are single family homes zoned RS-9.
- Southwest - Vacant IP and RS-9 zoned land. Further southwest is Edgewood Baptist Church and Kids World Daycare zoned IP.
- Northwest - Silver Chalice subdivision zoned RS-9.

GENERAL AREA

Character/Maintenance: Well maintained single family homes and churches.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Front portion of property is developed with two single family residences, rear of property is wooded.

Topography: Site slopes downward somewhat toward the rear of the property.

Streams: A stream crosses the southwestern portion of this property.

Vegetation/habitat: Front portion of property is developed with two single family residences, rear of property is wooded.

Constraints: Minor.

Compliance with Federal/State requirements for wetland/stream protection: Streams without base flood elevations automatically have an area equal to five times its width designated as floodway. The proposed site plan, however, does not show encroachment into this zone.

TRANSPORTATION

Direct Access to Site: Reidsville Road.

Street Classification: Major thoroughfare.

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

Reidsville Rd between Old Greensboro Rd and Old Belews Creek Rd = 17,000/12,500

Trip Generation/Existing Zoning: RS-9

$6.19 \times 43,560/9,000 = 29 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 277 \text{ trips}$

Trip Generation/Proposed Zoning: HB-S

$4,757 \text{ sf (existing)} + 9,920 \text{ sf (future)} = 14,677/1,000 \times 36.08 \text{ (Garden Center Trip Rate)}$
 $= 529 \text{ trips}$

Planned Road Improvements: MTIP Project #2577 US 158/Reidsville Rd: widen to multilane. (After 2008).

Transit: Route #25 terminates approximately 1 mile south of site, along Reidsville Road.

HISTORY

Relevant Zoning Cases:

1. W-2107; GO-S (Multiple Office Uses) to Site Plan Amendment; approved December 2, 1996; northwest corner of the intersection of Old Greensboro Road and Reidsville Road; 3.27 acres; Planning Board and staff recommended approval.
2. W-1882; R-5 to B-3-S (Shopping Center); withdrawn May 2, 1994; west side of Old Belews Creek Road at its intersection with Reidsville Road; 6.2 acres; Planning Board recommended denial, staff recommended approval.
3. W-1568; R-5 to B-3-S (Multiple Uses); denied May 1, 1989; northwest of the intersection of Old Belews Creek Road and Reidsville Road; 6.2 acres; Planning Board recommended denial, staff recommended approval.
4. W-1350; R-4 to B-3-S (Multiple Business Uses); denied April 7, 1986; on an access road northeast of the Reidsville Road/Old Greensboro Road intersection; 0.29 acre; Planning Board and staff recommended denial.
5. W-1031; R-4 to B-3-S (Service Stations; and Stores or Shops, Retail); approved July 5, 1983; west side of Reidsville Road north of Gaither Road; 0.93 acre; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 4A: Short-Range Growth.

Relevant Comprehensive Plan Recommendation(s): *Vision 2005* calls for the staging of development with the provision of roads, sewers, and other services in this area. Major retail should occur at defined activity nodes.

Area Plan/Development Guide: Although no area plans apply to this site, it exists across the street from an area in the *Salem Lake Watershed Area Plan* (1986). The *Salem Lake Land Use Plan* identifies residential infill (existing zoning) for properties across the street from this site.

ANALYSIS

This is a request to rezone 6.19 acres from RS-9 to HB-S (Business Services, B). The petitioner has been operating a landscaping business illegally from the site. They were cited by the inspections department and subsequently are seeking rezoning.

The site is located on the northwest side of Reidsville Road. Reidsville Road is an extremely busy road, as it is currently over capacity. The road is traveled heavily by large trucks. Although there is good sight distance from the site, trucks associated with the landscape business could pose an additional hazard.

The site is surrounded by residential uses and churches. Approximately one quarter of a mile north of the site on Reidsville Road is a convenience store rezoned to B-3-S (Service Station; and Stores or Shops, Retail) in 1983. Approximately one half mile south of the site at the intersection of Reidsville Road and Old Greensboro Road are two office uses rezoned in the early 1990's.

The City Attorney has given the opinion that this request, if approved, would be an illegal spot-zone. Although there are some business-type uses near the area of the site they are neighborhood serving uses, this request is not for a neighborhood serving use.

Staff is of the opinion that due to the previously mentioned factors this request is not appropriate at this site, and therefore recommends denial.

FINDINGS

1. This is a request to rezone 6.19 acres from RS-9 to HB-S (Business Services, B).
2. The petitioner has been operating a landscaping business illegally from the site.
3. The site is located on the northwest side of Reidsville Road, which is an extremely busy road, as it is currently over capacity.
4. The site is surrounded by residential uses and churches.
5. The City Attorney has given the opinion that this request, if approved, would be an illegal spot-zone.
6. The requested use is not consistent with the neighboring uses and zoning.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

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

C PRIOR TO ISSUANCE OF GRADING PERMITS

- a. Developer shall obtain erosion control, grading and zoning permits from the Inspections Division of the City of Winston-Salem.

C PRIOR TO THE ISSUANCE OF BUILDING PERMITS

- a. Developer shall dedicate sixty (60) feet of new right-of-way from the centerline of U.S. 158 in fee simple to the North Carolina Department of Transportation for future widening of Reidsville Road.

C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS

- a. Existing drive shall be improved to a minimum twenty (20) foot wide all weather surface.

C OTHER REQUIREMENTS

- a. Ground signage shall be limited to a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.
- b. Retail sales shall be prohibited.

[For information purposes only: The draft Legacy plan indicates that the petitioner's site is located in the suburban neighborhoods area of the Growth Management Plan. The goals for this area are to develop at higher residential densities, where appropriate, and to focus commercial development at mixed-use activity nodes.]