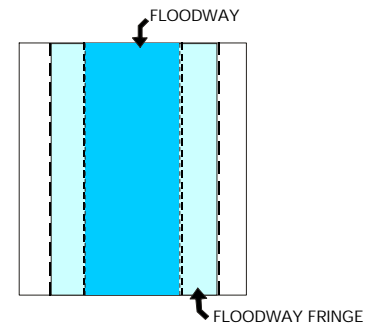


DOCKET #: W2476
 (Continued from 6/14/01
 CCPB meeting)

PROPOSED ZONING:
 LI

EXISTING ZONING:
 RS9

PETITIONER:
 John B. Foster, Jr.



SCALE: 1" represents 600'

STAFF: Hughes

GMA: 3

ACRE(S): 4.2

MAP(S): 612834



DRAFT ZONING STAFF REPORT

DOCKET # W-2476

STAFF: Suzy Hughes

Petitioner(s): John B. Foster, Jr.

Ownership: Same

CONTINUANCE HISTORY: This case was continued from the June 14, 2001 Planning Board Meeting. The petitioner requested a continuance to submit for Special Use Zoning and to get access verified. The petitioner has not been able to get access verified and has therefore turned in a letter requesting withdrawal.

REQUEST

From: RS-9 Residential Single Family District

To: LI Limited Industrial District

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

NOTE: This is a general use zoning petition; therefore, ALL uses permitted in the above requested district should be considered.

Acreage: 4.2 acres

LOCATION

Street: East of Griffith Road across from Snead Road along Salem Creek.

Jurisdiction: City of Winston-Salem.

Ward: South.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Vacant wooded lot.

Adjacent Uses:

North -	Developed RS-9, single family dwellings.
East -	Floodway and Salem Creek.
South -	Floodway.
Southwest-	Wastewater treatment plant.

GENERAL AREA

Character/Maintenance: Wastewater treatment plant to the south and moderately well maintained single family homes to the north and west.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site is undeveloped and adjacent to a wetland.

Topography: GIS maps show a slope of approximately 80' east toward the creek.

Streams: Salem Creek crosses the southeastern portion of this property.

Vegetation/habitat: Site is undeveloped and adjacent to a wetland.

Constraints: No public road access and portion of site is in the floodway.

Floodplains: This property exists within floodway and floodway fringe areas.

Wetlands: The 1994 National Wetlands Inventory indicates that a diked/impounded, permanently flooded marsh with an unconsolidated bottom adjacent to this parcel, most likely northwest of the proposed rezoning area.

Compliance with Federal/State requirements for wetland/stream protection: The UDO restricts uses in floodways to primarily agriculture, recreation, and infrastructure uses. The UDO specifically prohibits storage of hazardous substances.

TRANSPORTATION

Direct Access to Site: Private access connecting to Griffith Road; and Snead Road.

Street Classification: Griffith Road - minor thoroughfare.

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

Griffith Road between Burke Mill Road and West Clemmons Road = 4,300/11,500-12,000.

Transit: Route #18 along Griffith Road, to Hanes Mall Boulevard.

HISTORY

Relevant Zoning Cases:

1. W-2381; RS-9 to RM-8-S (Residential Building, Multifamily); approved May 1, 2000; east side of Griffith Road south of intersection with Emsley Street; 39.34 acres; Planning Board and staff recommended approval.
2. W-2274; RS-9 and GI to GI; approved December 7, 1998; western terminus of Griffith Plaza Drive and southern terminus of Carolyn Drive; 10.3 acres; Planning Board recommended denial, staff recommended approval.
3. W-2249; RS-9 to GI; approved September 8, 1998; east side of Griffith Road across from Griffith Plaza Drive; 10.9 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

Legacy Growth Management Area: Suburban Neighborhoods.

Relevant Comprehensive Plan Recommendation(s): The recommendations in *Legacy* include: (1) identify and create development-ready "greenfield" industrial sites; and (2) create incentives to redevelop underdeveloped areas of the community including the east and south side of Winston-Salem.

Area Plan/Development Guide: *Stratford Road Area Plan* (1989).

Relevant Development Guide Recommendation(s): The *Stratford Road Area Plan* notes that this area faces problems with odor from Elledge Sewage Treatment Plant. The development plan identifies this site for residential uses with 0-8 units/acre.

GREENWAY/RECREATION/OPEN SPACE REVIEW

Greenway Plan: *Stratford Road Development Plan; Legacy*.

Greenway/Trail Name: Salem Creek Greenway.

Side of Creek: West.

Is site designated for parks/open space? No.

Comments/Status of Trail: The Salem Creek Greenway forms part of the countywide greenway system approved in *Legacy*. It was also identified for establishment of a trail in the *Stratford Road Development Plan*. One phase of the Salem Creek Trail has already been developed.

ANALYSIS

This is a request to rezone 4.2 acres from RS-9 to LI. This site is located along Salem Creek east of Griffith Road. The petitioner would have to arrange access either through the adjacent GI zoned property or through the adjacent RS-9 zoned property by a special use permit. There is no recorded easement nor is there frontage along Griffith Road.

This is a general use petition and as such staff must consider all possible uses of the site under the proposed LI zoning. As the site is environmentally sensitive, staff is concerned about possible damage and/or contamination which could ensue from many LI uses. As a general use petition, this request leaves staff unsure of whether there may be possible damage to the creek as well as to the adjacent wetlands. Staff is unsure of how any possible contaminants or hazardous materials may be treated. The UDO specifically states there be no hazardous materials along a stream.

Staff might support a special use LI request in this location if it was determined that such a use was necessary along the stream, as is the case with the nearby sewage treatment facility. Staff cannot support this request for rezoning.

FINDINGS

1. This is a request to rezone 4.2 acres from RS-9 to LI.
2. This site is located along Salem Creek east of Griffith Road.
3. The petitioner would have to arrange access.
4. As the site is environmentally sensitive, staff is concerned about possible damage and/or contamination which could ensue from many LI uses.
5. Staff cannot support this request for rezoning.

STAFF RECOMMENDATION

Zoning: **DENIAL as submitted (approval of request for withdrawal).**

PUBLIC HEARING - June 14, 2001

FOR: None

AGAINST: None

WORK SESSION

MOTION: Johnson moved to continue to August 9, 2001.

SECOND: Doyle

VOTE:

FOR: Avant, Doyle, Johnson, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

PUBLIC HEARING - August 9, 2001

FOR: None

AGAINST: None

WORK SESSION

MOTION: Kerry Avant moved withdrawal of the zoning map amendment.

SECOND: Jimmy Norwood

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning