



**DOCKET #:** W2486  
 (Continued from 8/9/01  
 CCPB meeting)

**PROPOSED ZONING:**  
 LO-S (Offices,  
 Miscellaneous;  
 Professional Office)

**EXISTING ZONING:**  
 RM12-S (Residential  
 Building, Multifamily)

**PETITIONER:**  
 Preferred Properties  
 of the Triad, LLC

**SCALE:** 1" represents 200'

**STAFF:** McGee

**GMA:** 3

**ACRE(S):** 0.92

**MAP(S):** 612882



## **DRAFT ZONING STAFF REPORT**

**DOCKET #** W-2486

**STAFF:** Tony McGee

Petitioner(s): Preferred Properties of the Triad, LLC

Ownership: Jack Hamilton

**CONTINUANCE HISTORY:** This case was filed for the July 12, 2001, Planning Board meeting. The petitioner requested the opportunity to further discuss the site plan with staff. The case was continued to allow the petitioner to contact staff. At present, staff has received neither a new list of uses nor a revised site plan.

### **REQUEST**

From: RM-12-S Residential Multifamily District; maximum density 12 units/acre  
(Residential Building, Multifamily)

To: LO-S Limited Office District (Offices, Miscellaneous; and Professional Office)

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

Acreage: 0.92 acre

### **LOCATION**

Street: Northeast corner of Shattalon Drive and Ionia Street.

Jurisdiction: City of Winston-Salem.

Ward: North.

### **SITE PLAN**

Proposed Use: Offices.

Square Footage: Building #1 - 4,000 sf; building #2 - 5,300 sf.

Building Height: One story.

Parking: Required: 31; proposed: 31.

Bufferyard Requirements: Type II bufferyard required adjoining RS-9 to the north, 20 foot width provided.

Vehicular Use Landscaping Standards Requirements: Three trees provided within parking lot per UDO requirements.

## **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: None. Site is heavily wooded.

Adjacent Uses:

- North - Single family homes zoned RS-9.
- East - Shattalon Station Shopping Center zoned NSB-S.
- South - Across Shattalon Drive are single family homes on large lots zoned RS-9.
- Southwest - Condominiums, zoned RM-12.
- West - Single family homes zoned RS-9.

## **GENERAL AREA**

Character/Maintenance: Well maintained commercial and residential properties.

Development Pace: Slow to moderate.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Topography: GIS maps indicate that this property is fairly flat.

Streams: A stream bisects the middle of this site.

Vegetation/habitat: Site is heavily wooded.

Constraints: The property is bisected by a perennial stream. Shallow bedrock is present in the area.

Floodplains: This site is not affected by floodway or floodway fringe areas.

Water supply watershed: Site is not within a water supply watershed.

Compliance with Federal/State requirements for wetland/stream protection: The UDO (Chapter C - Environmental Ordinance) states that land disturbing activity in connection with construction in, on, over, or under a natural watercourse shall ... minimize the extent and duration of disturbance of the stream channel (Section 7-12). The UDO also has erosion control regulations that apply to natural watercourses (Section 7-7.1). The petitioner should obtain appropriate permits from the US Army Corps of Engineers and NC Department of Water Quality before attempting any channel modifications, dredging, or transportation crossing projects.

## **TRANSPORTATION**

Direct Access to Site: Shattalon Drive, Iona Street

Street Classification: Shattalon Drive - minor thoroughfare; Iona Street - local.

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

Shattalon Drive between Bethabara Road and Murray Road = 11,000/11,500

Trip Generation/Existing Zoning: RM-12-S: 10 units x 6.63 (multifamily) = 66 trips per day.

Trip Generation/Proposed Zoning: LO-S

9,300/1,000 = 9.3 x 36.13 (Medical/Dental Office) = 336 trips per day

Planned Road Improvements: City of Winston-Salem bond project - Shattalon Drive from Reynolda Road to Bethania-Station Road, widen to three lanes; from Bethania Station Road to University Parkway, widen to five lanes. To be complete by April 2002.

Transit: Route #44, along Shattalon Drive.

## **HISTORY**

Relevant Zoning Cases:

1. W-1990; RM-12-S (Residential Building, Multifamily) to RM-12-S (Planned Residential Development; and Child Day Care); denied November 20, 1995; west side of Murray Road at Beck's Church Road; 21.64 acres; Planning Board and staff recommended approval.
2. W-1538; R-6 to B-3-S (Multiple Uses) (converted to NSB-S in UDO); approved August 12, 1988; northwest corner of Shattalon Drive and Murray Road adjacent to the current site to the east; 6.21 acres; Planning Board and staff recommended approval.
3. W-1210; R-5 to R-2-S (Dwelling, Multifamily) (converted to RM-12-S in UDO); approved October 11, 1984; property consisted of the current site; 0.917 acre; Planning Board and staff recommended approval.

## **CONFORMITY TO PLANS**

GMP Area (*Legacy*): Suburban.

Relevant Comprehensive Plan Recommendation(s): *Legacy* proposes to increase the overall density in the municipal services area which includes the petitioner's RM-12-S zoned site. The policies in *Legacy* also call for compact mixed-use development designed to be more pedestrian friendly.

Area Plan/Development Guide: Although this site is not within the boundaries of a development guide or area plan, it exists across the street from an area in the *Polo/Reynolda Road Area Plan* (1985) that is identified for low density residential use (0-5 dwelling units per acre).

## **ANALYSIS**

The petition was submitted to allow the development of two office buildings totaling 9,300 sf. The subject site is currently zoned RM-12-S. The RM-12-S designation was converted from the previous R-2-S designation in 1995. Though the zoning district for the site was rezoned from R-5 to R-2-S in 1984, the site remains undeveloped at the present time. The subject site is adjacent to an existing NSB-S zoning district established as B-3-S in 1988, converted to NSB-S in 1995.

Staff is concerned that extending non-residential uses to this site would encourage further strip commercial development along Shattalon Drive. Although the adjacent shopping center was rezoned prior to the UDO (B-3-S) and converted to NSB-S in 1995, the purpose statement for the adjacent NSB-S district states that it is not intended to establish justification for additional commercial zoning in the area. Extending commercial zoning to the subject site could set a precedent for other commercial zoning along Shattalon and cause other neighborhoods to be reluctant to accept the NSB district for fear of commercial encroachment.

The proposed office uses would have a lesser traffic impact than the current multifamily use allowed. However, this reduction in impact on the area could be reversed if further commercial development were encouraged here and development pressure were to increase when the planned road widening occurs. The currently allowed use is an appropriate transitional use between the NSB and RS-9.

Staff recommended that the buildings be located near Shattalon Drive with the parking in the rear and recommended a sidewalk be installed to allow pedestrians from the site as well as from the home on Ionia Street to walk to Shattalon Station Shopping Center.

### **FINDINGS**

1. The subject site is adjacent to an existing NSB-S zoning district.
2. The petition was submitted to allow the development of two office buildings.
3. Extending commercial uses to this site could encourage further strip commercial development along Shattalon Drive.
4. The currently allowed use is an appropriate transitional use between the NSB and RS-9.

### **STAFF RECOMMENDATION**

Zoning: **DENIAL**.

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

- **PRIOR TO ISSUANCE OF GRADING PERMITS**
  - a. Grading permits must be issued by the City of Winston-Salem and stream piping must be approved by the North Carolina Department of Environment and Natural Resources.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Developer shall install road improvements (widen to 18' from center to curb, install curb and gutter and sidewalk) on Shattalon Drive as shown on the site plan to the specifications of North Carolina Department of Transportation and the Winston-Salem Department of Transportation.

- b. Developer shall install road improvements (widen to 13' from center to curb, install curb and gutter) on Ionia as shown on the site plan to the specifications of Winston-Salem Department of Transportation.

- **OTHER REQUIREMENTS**

- a. Development may have one sign of a monument type with a maximum height of five (5) feet and a maximum copy area of 24 square feet.

**PUBLIC HEARING** - July 12, 2001

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Arnold King moved continuance of the zoning map amendment and site plan to August 9, 2001.

SECOND: Kerry Avant

VOTE:

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

AGAINST: None

EXCUSED: None

**PUBLIC HEARING** - August 9, 2001

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Kerry Avant moved continuance of the zoning map amendment and site plan to September 13, 2001.

SECOND: Arnold King

VOTE:

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

AGAINST: None

EXCUSED: None