



DOCKET #: W2504

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

EXISTING ZONING:
 RS9

PETITIONER:
 EFR Properties, LLC

SCALE: 1" represents 200'

STAFF: Hughes

GMA: 3

ACRE(S): 1.48

MAP(S): 606850



September 19, 2001

EFR Properties, LLC
c/o Terry N. Renegar
4540 Country Club Road
Winston-Salem, NC 27104

RE: ZONING MAP AMENDMENT W-2504

Dear Mr. Renegar:

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
Martha Martinat, 120 Sherwood Forest Road, Winston-Salem, NC 27106

ACTION REQUEST FORM

DATE: September 19, 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 EFR Properties, LLC

SUMMARY OF INFORMATION:

Zoning map amendment of EFR Properties, LLC from RS-9 to LO-S (Professional Office; Offices Miscellaneous); property is located on the north side of Country Club Road between Picadilly Road and Tipperary Lane (Zoning Docket W-2504).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of EFR Properties, LLC, Docket W-2504

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

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 RS-9 to LO-S (Professional Office; and Offices, Miscellaneous) the zoning classification of the following described property:

Tax Block 3905, Tax Lot 085B

Section 2. This Ordinance is adopted after approval of the site plan entitled Speculative Office Building and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to EFR Properties, LLC.

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 Speculative Office Building. 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 EFR Properties, LLC, (Zoning Docket W-2504). 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 LO-S (Professional Office; and Offices, 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 LO-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 BUILDING PERMITS**
 - a. Developer shall dedicate forty (40) feet from centerline as new right-of-way in fee simple to the City of Winston-Salem along the entire frontage of the property on Country Club Road.
 - b. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.

- **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.

- b. If an above ground storm water management pond is constructed on this property, a typical streetyard landscaping area shall be installed around the entire perimeter of the pond. This landscape area does not have to meet the ten (10) foot width requirement of the UDO.
- c. Developer shall install a sidewalk along the entire frontage of the property on Country Club Road to the specifications of the Public Works Department of the City of Winston-Salem.
- d. Developer shall install an additional travel lane from the proposed driveway to the eastern property line on Country Club Road to the specifications of the Winston-Salem Department of Transportation.
- e. Developer shall provide a connector drive to adjoining property to the east. The connector drive shall be constructed to the property line on a reasonable grade for the future extension into the adjoining property with an easement recorded to allow cross access between properties.
- f. All required fire hydrants shall be installed in accordance with the City Fire Department.

- **OTHER REQUIREMENTS**

- a. One (1) free standing sign shall be permitted on Country Club Road. Said sign shall be limited to a monument type with a maximum height of five (5) feet and a maximum copy area of twenty (20) square feet.

ZONING STAFF REPORT

DOCKET # W-2504

STAFF: Suzy Hughes

Petitioner(s): EFR Properties, LLC

Ownership: Same

REQUEST

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf

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

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

Acreage: 1.48 acres

LOCATION

Street: North side of Country Club Road east of Old Vineyard Road.

Jurisdiction: City of Winston-Salem.

Ward: West.

SITE PLAN

Proposed Use: Professional Office and Offices, Miscellaneous.

Square Footage: 17,700 square feet.

Building Height: Two story.

Parking: Required: 59; proposed: 59.

Bufferyard Requirements: 15 foot type II bufferyard along adjacent residential zoning.

Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Single family brick residence.

Adjacent Uses:

- North - Single family residences zoned RS-9.
- East - Single family residences zoned RS-9, offices uses zoned LO-S further east.
- South - Mix of office and residences across Country Club Road zoned LO-S and RS-9, respectively.
- West - Carolina Conference Association of Seventh Day Adventist Church zoned RS-9.

GENERAL AREA

Character/Maintenance: Well maintained office and residential uses.

Development Pace: Fast.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site would be cleared and graded, with existing home to be removed. Proposed development would increase the amount of impervious surface.

Topography: Gradual slope downward to the north.

Vegetation/habitat: Site is wooded in the rear, and has minimal vegetation.

Constraints: Minor topographic constraints.

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

TRANSPORTATION

Direct Access to Site: Country Club Road.

Street Classification: Major thoroughfare.

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

12,000/16,000

Trip Generation/Existing Zoning: $1.48 \text{ acre}/9,000 = 7 \text{ lots} \times 9.57 = 67$ average weekday trips.

Trip Generation/Proposed Zoning: $17,700/1,000 = 17.7 \times 11.01 = 195$ average weekday trips.

Planned Road Improvements: Country Club Road: To the west of this site from Old Vineyard Road to Peace Haven Road widening to multi lanes. Funded in the City's 2000 Bond Referendum. A consultant has been hired and public involvement has begun. An actual cross section has not been determined.

Sidewalks: Proposed on site plan along Country Club Road.

Transit: WSTA route 12 along Country Club Road adjacent to site.

Bike: Route 2 along Country Club Road adjacent to site.

HISTORY

Relevant Zoning Cases:

1. W-2432; RS-9 to LO-S (Professional Office); withdrawn January 2, 2001; current site; 1.48 acres; Planning Board and staff recommended approval.
2. W-2329; RS-9 to LO-S (Offices, Miscellaneous; Professional Office; and Medical or Surgical Offices); approved July 6, 1999; northwest side of Country Club Road west of Kilpatrick Street; 2.104 acres; Planning Board and staff recommended denial.

3. W-2302; LO-S and RS-9 to LO-S (Professional Office; Office Miscellaneous; Medical or Surgical Offices); approved April 5, 1999; north side of Country Club Road west of Picadilly Street; 1.67 acres; Planning Board and staff recommended approval.
4. W-2288; LO-S (Professional Office) to Site Plan Amendment; approved January 4, 1999; east corner of Country Club Road and Old Vineyard Road; 1.52 acres; Planning Board and staff recommended denial.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods.

Relevant Comprehensive Plan Recommendation(s): The petitioner's site is in the suburban neighborhoods planning area of *Legacy's* growth management plan. *Legacy* calls for compact interconnected commercial centers that encourage pedestrian access within the center. *Legacy* encourages commercial uses in and adjacent to neighborhoods, especially business uses that could meet the daily and weekly shopping needs of residents.

Area Plan/Development Guide: *Country Club/Jonestown Area Plan* (1985).

Relevant Development Guide Recommendation(s): The area plan calls for both sides of Country Club Road west to its intersection with Old Vineyard Road to be developed as single family residential.

ANALYSIS

The petition seeks to rezone 1.53 acres from RS-9 to LO-S (Professional Office). Rezoning would allow the site to be developed for office use. Staff does not believe that single family housing can reasonably be expected to develop here, given the existing character of the area and its location along this major thoroughfare. Traffic has previously been identified as a problem in this area. Staff believes that approval of the current rezoning petition would not make a significant difference in the already high levels of traffic movement.

The *Country Club/Jonestown Area Plan* recommends low density residential here, however previously approved rezonings constitute substantial changes in the land use patterns of this rapidly growing neighborhood. Approval of office developments to the south, southeast, and east have substantially changed the character of the area, suggesting a use other than single family homes. *Legacy* calls for compact interconnected commercial centers, such as this with an internal connection to the east as recommended by staff.

When properly buffered and landscaped, office uses at this location would provide a feasible transition to the homes to the north, and would extend the current pattern of office development along this section of Country Club Road. Office developments along the north side of Country Club Road should establish a firm separation between office uses and single family development to the north.

Staff anticipates that other properties east of the current site will likely convert to similar office uses. For this reason staff recommends that an internal driveway connection be provided to the adjacent property to the east. Staff believes that such internal driveway connections which allow for deliveries and other service needs without requiring unnecessary turning movements along busy thoroughfares is a key consideration in staff's support for business zoning at this location.

FINDINGS

1. The petition is consistent with *Legacy*.
2. The petition does not meet the land use designation of the *Country Club/Jonestown Area Plan*, but the rezoning of other properties in this area and recent development constitute a substantial change in conditions.
3. The existing pattern and intensity of development in this area strongly suggests a use other than single family at this location.
4. Rezoning would be a logical extension of existing office zoning.
5. Driveway interconnectivity between business uses along busy thoroughfares is a key requirements.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

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

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 - 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.
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 - f. All required fire hydrants shall be installed in accordance with the City Fire Department.
- **OTHER REQUIREMENTS**
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David Reed presented the staff report. He explained the petitioners had worked with the City Department of Transportation staff who agreed to modify the road widening recommendation. Staff supports this change.

PUBLIC HEARING

FOR: None

AGAINST:

Martha Martinat, 120 Sherwood Forest Road, Winston-Salem, NC 27106
I would respectfully request that the turning lane be extended.

WORK SESSION

During discussion by the Planning Board, the following point was made:

- 1. The original proposal was to create an additional lane the length of the property, however the benefit of the right-turn lane is to help traffic into his property until the time further changes are made.

MOTION: John Bost moved approval of the zoning map amendment.

SECOND: Kerry Avant

VOTE:

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

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: John Bost certified that the site plan meets all code requirements and recommends staff conditions including the revised condition regarding transportation.

SECOND: Kerry Avant

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning