



**DOCKET #:** W2395  
 (Continued from 04-13-00  
 CCPB Mtg.)

**PROPOSED ZONING:**  
 HB-S (Multiple  
 Business Uses)

**EXISTING ZONING:**  
 HB-S (Multiple  
 Business Uses)

**PETITIONER:**  
 William Jeffery Miller

**SCALE:** 1" represents 200'

**STAFF:** D. Reed

**GMA:** 3

**ACRE(S):** 0.52

**MAP(S):** 612874

May 24, 2000

William Jeffery Miller  
2910 Reynolda Road  
Winston-Salem, NC 27106

RE: ZONING MAP AMENDMENT W-2395

Dear Dr. Miller:

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  
D. Barrett Burge, 2000 W. 1st Street, Suite 500, Winston-Salem, NC 27104

**ACTION REQUEST FORM**

**DATE:** May 24, 2000  
**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 William Jeffery Miller

**SUMMARY OF INFORMATION:**

Zoning map amendment of William Jeffery Miller from HB-S (Offices; Medical, Dental or Related Offices; Medical Laboratory; and Stores or Shops, Retail) to HB-S (Arts and Crafts Studio; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; and Services, Personal): property is located on the southwest side of Reynolda Road between Oldtown Drive and Briarcliffe Road (Zoning Docket W-2395).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** MEETS ALL CODE REQUIREMENTS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of William Jeffery Miller, Docket  
W-2395

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 (Offices: Medical, Dental or Related Offices; Medical Laboratory; and Stores or Shops, Retail) to HB-S (Arts and Crafts Studio; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; and Services, Personal) the zoning classification of the following described property:

BEGINNING at the northwest corner of Kemp Commercial, LLC (as described in Book 2041, Page 3227, Forsyth County Registry) in the southeastern right-of-way line of Reynolda Road and running thence along Kemp Commercial's west line south 38E 35' 10" west 181.04 feet to the north line of Sandra M. Lackey (81 E 259); thence north 51E 59' 43" west 59.15 feet to the east line of the Bellamy Family Trust (Book 2100, Page 1091); thence with the Trust's east line north 02E 34' 56" east 223.63 feet to the southeastern right-of-way line of Reynolda Road; thence along said right-of-way line south 51E 37' 58" east 190.61 feet to the point and place of BEGINNING. Containing 0.52 acres and also being known as Tax Lots 13B, 14B, 15B, 16B and 17B, Tax Block 2351.

Section 2. This Ordinance is adopted after approval of the site plan entitled William Jeffery Miller and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to William Jeffrey Miller.

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 William Jeffery Miller. 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 William Jeffery Miller, (Zoning Docket W-2395). 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 (Arts and Crafts Studio; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; and Services, Personal), approved by the Winston-Salem Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_" 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 condition be met:

**C      PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

**S      Any change of use will require a zoning permit.**

## ZONING STAFF REPORT

**DOCKET #** W-2395  
**STAFF:** David Reed

Petitioner(s): William Jeffrey Miller  
Ownership: Same

### CONTINUANCE HISTORY

This petition was continued from the April 13, 2000, public hearing for consideration of appropriate uses for this site considering the limited parking available.

### REQUEST

From: HB-S Highway Business District (Offices; Medical, Dental or Related Offices; Medical Laboratory; and Stores or Shops, Retail)  
To: HB-S Highway Business District (Arts and Crafts Studio; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; and Services, Personal)

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

Acreage: 0.52 acre

### LOCATION

Street: South side of Reynolda Road between Oldtown Drive and Briarcliffe Road.  
Jurisdiction: City of Winston-Salem.  
Ward: Northwest.

### SITE PLAN

Proposed Use: Multiple Business and Office uses.  
Square Footage: 6,636 square feet.  
Building Height: Two story.  
Parking: Required: 35; Proposed: 22; Layout: Inadequate number of parking spaces.  
Bufferyard Requirements: A type III bufferyard is required adjacent to RS-9 zoning.  
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

## **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Single-story office building zoned HB-S.

Adjacent Uses:

- North - Crown Service Station zoned HB and Sagebrush Restaurant zoned GO.
- Southeast - A small office building adjoins the site, with McDonalds Restaurant further to the southeast. Both are zoned HB.
- West - Single family residential dwellings zoned RS-9. Area immediately adjoining site is wooded.

## **GENERAL AREA**

Character/Maintenance: Well maintained business and residential uses.

Development Pace: Slow.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Minor.

Topography: Site slopes down to the south.

Vegetation/habitat: Site is fully developed.

Constraints: Space available for additional parking is very limited.

## **TRANSPORTATION**

Direct Access to Site: Reynolda Road.

Street Classification: Major thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):  
30,000/26,000

Trip Generation/Existing Zoning: HB-S Medical/Dental  
 $6,976 \text{ sf} / 1,000\text{sf} = 6.976 \times 36.3 \text{ (trip rate)} = 252 \text{ trips}$

Trip Generation/Proposed Zoning: HB-S Medical/Dental and other uses  
Medical/Dental 252 (see above)

Banking/Finance without drive-through window  $6.976 \times 156.48 = 1,080 \text{ trips}$

Total trips 1,332

Sight Distance: Good.

Transit: Rt. 16 serves the site.

## **HISTORY**

Relevant Zoning Cases:

1. W-2271; RS-9 to HB; approved December 7, 1998; southeast side of Radford Street, southwest of Reynolda Road; 0.3 acre; Planning Board and staff recommended approval.



2. W-1911; R-5 to R-2-S (Dwellings: Multifamily; and Nursing Home); approved July 5, 1994; southwest side of Reynolda Road, between Loch Drive and Briarcliffe Road; 2.55 acres; Planning Board and staff recommended approval.
3. W-1676; R-1 to B-3-S (Multiple Business Uses); approved September 4, 1990; current site on Reynolda Road/NC 67; 0.52 acre; Planning Board and staff recommended approval.

### **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): See more detailed area plan recommendations.

Area Plan/Development Guide: *Polo/Reynolda Area Plan*.

Relevant Development Guide Recommendation(s): The area plan recommends this site for low density residential development.

### **ANALYSIS**

The subject property was rezoned from R-1 to HB-S (Offices; Medical, Dental or Related Offices; Medical Laboratory; and Stores or Shops, Retail) in 1990. The site is developed with an optometrists office with eyeglass sales. The optometrist would have been permitted in the R-1 zoning; however, the sale of eyeglasses required the business zoning. Because of the low intensity of the proposed use, staff supported the special use zoning in 1990.

The subject zoning map amendment would expand the business uses on the site and permit some uses for which on-site parking is inadequate. The transitional nature of the current use of the property is important because it is the last nonresidential property fronting on Reynolda Road before Briarcliffe Road.

Because the property has a business zoning classification at present, staff does support some additional business uses on the site. After working with staff, the petitioners have reduced the requested uses to those supported by staff.

### **FINDINGS**

1. The subject property was rezoned from R-1 to HB-S (Offices; Medical, Dental or Related Offices; Medical Laboratory; and Stores or Shops, Retail) in 1990.
2. The site is developed with an optometrists office with eyeglass sales.
3. Because of the low intensity of the proposed use, staff supported the special use zoning in 1990.

4. The subject zoning map amendment would expand the business uses permitted on the site.
5. The transitional nature of the current use of the property is important because it is the last nonresidential property fronting on Reynolda Road before Briarcliffe Road.
6. Staff has worked with the petitioner to successfully reduce the proposed uses.

**STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

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

- C     **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS****  
**S     Any change of use will require a zoning permit.**

*[For information purposes only: The draft Legacy plan identifies the site as Suburban Neighborhoods within the Municipal Services Area on the growth management plan map.]*

**PUBLIC HEARING** - April 13, 2000

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Steve Johnson moved continuance of the rezoning petition and site plan to May 11, 2000.

SECOND: James Rousseau

VOTE:

FOR: Avant, Bost, Johnson, King, Powell, Rousseau, Schroeder, Williams

AGAINST: None

EXCUSED: None

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Steve Johnson moved approval of the zoning map amendment and confirmed that the site plan conforms to all code requirements.

SECOND: Norman Williams.

VOTE:

FOR: Bost, Johnson, King, Powell, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning