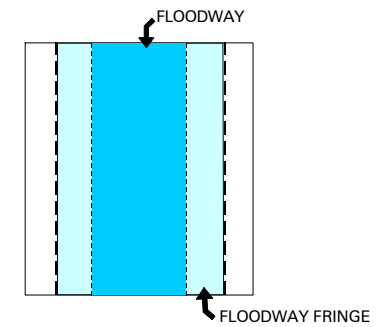


**DOCKET #:** W2414

**PROPOSED ZONING:**  
HB-S (Food or Drug Store)

**EXISTING ZONING:**  
RM18 (Residential Building, Multifamily)

**PETITIONER:**  
Hubert O. and Nancy R. Williams and Robinwood Apartments Partnership



**SCALE:** 1" represents 200'

**STAFF:** Simmons

**GMA:** 3

**ACRE(S):** 2.26

**MAP(S):** 624886

August 23, 2000

Hubert O. and Nancy R. Williams and  
Robinwood Apartments Partnership  
1741 Buddy Street  
Winston-Salem, NC 27103

RE: ZONING MAP AMENDMENT W-2414

Dear Mr. Williams and Ms. Williams:

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  
Robinwood Apartments Partnership, 1935 Landover Drive, Winston-Salem, NC 27102  
Nat Taylor, 3600 Country Club Road, Winston-Salem, NC 27104

**ACTION REQUEST FORM**

**DATE:** August 23, 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 Hubert O. and Nancy R. Williams and Robinwood Apartments Partnership

**SUMMARY OF INFORMATION:**

Zoning map amendment of Huber O. and Nancy R. Williams and Robinwood Apartments Partnership from RM-18 to HB; property is located on the southeast side of Robin Wood Lane bordering US 52 on the north (Zoning Docket W-2414)

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED

CITY ORDINANCE - GENERAL USE

Zoning Petition of Hubert O. and Nancy R. Williams and Robinwood Apartments Partnership,  
Docket W-2414

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 RM-18 to HB the zoning classification of the following described property:

BEGINNING at a point located at the Southeast intersection of the right of way lines of New U.S. Highway #52 and N.C. Highway #66 (formerly known as Cherry Street Extension); running Thence in a Southeastwardly direction with the South right of way line of U. S. Highway #52, 430' more or less to an iron stake located at the Northeast corner of W. E. Robinson Property; running Thence with the East Lines of Lot Nos. 9-12 in a Southwardly direction 215', more or less to an iron stake located at the Southeast corner of Lot No. 12, as shown on the Map of J.G. Clayton Property; running Thence Northwardly 89° West 334' to an iron stake located in the East right of way line of N.C. Highway #66; running thence in a Northwardly direction in the East right of way line of N.C. Highway #66, 410' more or less to the point and place of Beginning. Being all of Lot Nos. 10-12 and a part of Lot #9, as shown on the map of J. G. Clayton Property. Also being designated as Lots 9-C and 10-12, Block 2034 on the Forsyth County Tax Map.

Section 2. This ordinance shall become upon adoption.

**ZONING STAFF REPORT**

**DOCKET #** W-2414  
**STAFF:** Glenn Simmons

Petitioner(s): Hubert O. and Nancy R. Williams and Robinwood Apartments Partnership  
Ownership: Same

**REQUEST**

From: RM-18 Residential Multifamily District; maximum density 18 units/acre  
To: HB Highway Business 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: 2.26 acres

**LOCATION**

Street: East side of Robin Wood Lane bordering US 52 on the north.  
Jurisdiction: City of Winston-Salem.  
Ward: Northeast

**PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Multifamily apartment units.

Adjacent Uses:

- North - US-52
- Northeast - US-52
- East - Vacant RS-9 zoned property.
- Southeast - Single family homes located farther southeast (600 feet) on Dogwood Drive.
- South - Undeveloped HB zoned property.
- Southwest - Multiple commercially developed HB zoned properties accessing off University Parkway.
- West - Multiple commercially developed HB zoned properties accessing off University Parkway.
- Northwest - Mill Creek and commercially developed HB properties accessing off University Parkway.

**GENERAL AREA**

Character/Maintenance: Generally well maintained commercial retail and office properties.  
Development Pace: Moderate to rapid.

### **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Existing apartments to be removed.  
Topography: Property slopes upward from west to east.  
Streams: Mill Creek is adjacent to the west and north.  
Vegetation/habitat: Mixed open and wooded vegetation.  
Constraints: Existing structures to be removed.  
Floodplains: Located on western edge of property.

### **TRANSPORTATION**

Direct Access to Site: Robin Wood Lane; US 52 is adjacent to the site (no direct access).  
Street Classification: Robin Wood Lane is not classified; US 52 is a Freeway.  
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):  
    Robin Wood Lane: n/a  
    US 52: 47,000/54,000  
    University Parkway (Hanes Mill Road to US 52): 33,000/26,000  
Planned Road Improvements: None planned.  
Sight Distance: Adequate.

### **HISTORY**

Relevant Zoning Cases:

1. W-919; I-2 (comparable to LI or HB) to R-2 (comparable to RM-18); approved February 15, 1982; current site; 2.5 acres; Planning Board and staff recommended approval.
2. W- 2220; LI and IP to GB; approved May 4, 1998; southwest corner of University Parkway and Hanes Mill Road; 4.47 acres; Planning Board and staff recommended approval.
3. W-2088; IP to HB; approved October 7, 1996; site located on the opposite side of University Parkway just south of the subject property; 0.84 acre; Planning Board and staff recommended approval.
4. W-2043; IP to GB; approved May 6, 1996; property located north of the current site in Madison Park along the south side of the US 52 off ramp to University Parkway; 0.46 acre; Planning Board and staff recommended approval.
5. W-1318; R-4 to B-3 (converted to HB in UDO); approved December 16, 1985; property located at the northeast corner of University Parkway and Oak Summit Road/Shattalon Drive intersection; Planning Board and staff recommended approval.

## **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): *Vision 2005* recommends the separation and buffering of commercial, office, and industrial uses from residential areas, and the preservation of stable neighborhood areas.

Area Plan/Development Guide: None

## **ANALYSIS**

The current request is to rezone 2.26 acres of land from RM-18 to HB. The property was previously rezoned to R-2 (comparable to RM-18) from a larger area of I-2 zoning which bordered the property to the south and east. US 52 borders the northern and northeast portion of the property. Much of the area around the property, formerly zoned I-2, was reclassified to HB in January 1, 1995, with adoption of the UDO. Much of the area south and west of the property along University Parkway is currently developed with substantial amounts of retail commercial and office properties. The current site is located with general access to University Parkway via Robin Wood Lane. The property is physically separated from existing residential development east of the property along Dogwood Drive by approximately three hundred feet of undeveloped woods. Topographically the property also drops away from the residential area along Dogwood Drive in a manner which would help shield any new commercial development from the neighborhood. Because of these physical factors and the fact that existing HB zoning currently wraps around the southern edge of residentially zoned properties east of the current site, staff does not anticipate any adverse affects from the HB zoning if approved.

Staff also notes that while billboards are a permitted use in HB, none can be erected on this site if rezoned to HB. The reason is that a billboard currently exists on the adjacent HB zoned property contiguous to US 52. The current site lies within an area that is less than the required 1,000 foot separation between billboards.

Finally, while staff recognizes the value of RM-18 zoned land with respect to the need and difficulty of establishing properties for multifamily development, staff believes that the location of the current site, in context with the existing commercial character of the area and US 52 noise levels, does not warrant its retention.

Given the history and current commercial uses of properties in the area north, west and south of the property, and the lack of potential impacts to existing residential homes located southeast of the property, staff is supportive of the HB zoning request.

## **FINDINGS**

1. The current request consists of 2.26 acres of land proposed to be rezoned from RM-18 to HB.

2. The HB proposal is consistent with other HB zoned properties located north, west and south of the current site along University Parkway.
3. The property is accessible to University Parkway via Robin Wood Lane.
4. The physical character and location of the proposed HB property, in relationship to existing RS-9 zoned properties east of the site, should not adversely affect residential homes along Dogwood Drive.
5. No billboards can be erected on the property if approved for HB due to another existing billboard within 1,000 feet of the site.
6. The proposal is consistent with other HB zoned property in the area.

**STAFF RECOMMENDATION**

Zoning: **APPROVAL**

*[For information purposes only: Draft Legacy Comprehensive Plan: The petitioner's site is located in Legacy's Suburban growth management area and near the intersection of US 52 and University Parkway which is designated a metro activity center in the plan. Metro activity centers encourage mixed-use pedestrian friendly development with a strong residential component. The plan suggests that residential uses should make up 25% to 50% of the land uses in such areas with much of it concentrated in the support area ring surrounding the mostly commercial core. To a limited degree, the existing RM-18 zoning and development contributes to this needed residential component.]*

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Steve Johnson moved approval of the zoning map amendment.

SECOND: James Rousseau

VOTE:



FOR: Avant, Powell, Kind, Rousseau, Williams, Bost, Johnson, Schroeder,  
Snelgrove  
AGAINST: None  
EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning