



**DOCKET #:** W2423

**PROPOSED ZONING:**  
 LB-S (Professional  
 Offices; Offices,  
 Miscellaenous; Medical  
 and Surgical Offices;  
 and Services, Business A)

**EXISTING ZONING:**  
 RS9 and LO-S

**PETITIONER:**  
 Richard P. Bennett and  
 Cornelia W. Bailey, et al

**SCALE:** 1" represents 200'

**STAFF:** Reed

**GMA:** 3

**ACRE(S):** 1.21

**MAP(S):** 600846

September 20, 2000

Richard P. Bennett and Cornelia W. Bailey, et al  
4720 Kester Mill Road  
Winston-Salem, N.C 27103

RE: ZONING MAP AMENDMENT W-2423

Dear Mr. Bennett and Ms. Bailey:

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

**ACTION REQUEST FORM**

**DATE:** September 20, 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 Richard P. Bennett and Cornelia W. Bailey, et al

**SUMMARY OF INFORMATION:**

Zoning map amendment of Richard P. Bennett and Cornelia W. Bailey, et al, from RS-9 and LO-S (Professional Office) to LB-S (Professional Office; Offices, Miscellaneous; Medical and Surgical Offices; and Services, Business A): property is located on the south side of Kester Mill Road across from Kirk Road; property is somewhat rectangular in shape fronting ±155 feet on the south side of Kester Mill Road; property extends south off Kester Mill Road for a maximum depth of ±378 feet; property consists of ±1.21 acres and is Tax Lots 204A, 459, and portions of 7C and 204C Tax Block 3904 as shown on the Forsyth County Tax Maps and on a site plan on file in the office of the City-County Planning Board (Zoning Docket W-2423).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Richard P. Bennett and Cornelia W. Bailey, et al, Docket W-2423

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 RS-9 and LO-S (Professional Office) to LB-S (Professional Office; Offices, Miscellaneous; Medical and Surgical Offices; and Services, Business A) the zoning classification of the following described property:

BEGINNING at an EIP on the right-of-way of Kester Mill Road, said EIP being the Northwest corner of Lot 208B Block 3904; thence with the said property line S 04° 14'45" West 300.89'; thence with the line of Cornelia Bailey S 64° 42' 30" West 137.62'; thence continuing with the new line S 64° 43' 45" West 40.22' to a NIP; thence with a new line N 04° 15' 45" East 378.19' to NIP on the right-of-way of Kester Mill Road; thence with the right-of-way S 89° 33' East 35.02' to an EIP; thence S 89° 33' East 120.0' to the point and place of Beginning containing 1.21 acres +/-.

Section 2. This Ordinance is adopted after approval of the site plan entitled Proposed Office Addition Richard P. Bennett and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to Richard P. Bennett and Cornelia W. Bailey, et al.

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 Proposed Office Addition Richard P. Bennett. 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 Richard P. Bennett and Cornelia W. Bailey, et al, (Zoning Docket W-2423). 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 LB-S (Professional Office; Offices, Miscellaneous; Medical and Surgical Offices; and Services, Business A), 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 LB-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 FOR THE FUTURE PHASE**
  - 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.
  
- C **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Developer shall widen Kester Mill Road with curb and gutter 18 feet from centerline through the frontage of the property to the specifications of the Public Works Department of the City of Winston-Salem.

- b. A fifteen (15) foot type II bufferyard shall be installed along the western and southern property lines.
- c. The chain link fence shown on the site plan shall be coated with either black or green vinyl.

**C OTHER REQUIREMENTS**

- a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet.

## ZONING STAFF REPORT

**DOCKET #** W-2423  
**STAFF:** David Reed

Petitioner(s): Richard P. Bennett and Cornelia W. Bailey, et al  
Ownership: Same

### **REQUEST**

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf and LO-S Limited Office District (Professional Office)  
To: LB-S Limited Business District (Professional Office; Offices, Miscellaneous; Medical and Surgical Offices; and Services, Business A)

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

Acreage: 1.21 acres

### **LOCATION**

Street: South side of Kester Mill Road across from Kirk Road.  
Jurisdiction: City of Winston-Salem.  
Ward: Southwest.

### **SITE PLAN**

Proposed Use: Office and Services, Business A.  
Square Footage: 9,742 square feet in two buildings (one existing; one proposed).  
Building Height: One story and two story.  
Parking: Required: 31; proposed: 31.  
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 building.

Adjacent Uses:

|         |   |
|---------|---|
| North - | Business uses zoned HB-S and HB.                                |
| East -  | A-1 Self Storage mini-warehouses zoned HB and area zoned RMU-S. |
| South - | Wooded land zoned RS-9.   |
| West -  | Wooded land zoned RS-9.   |



## **GENERAL AREA**

Character/Maintenance: Mixture of business and residential uses and vacant land.

Development Pace: Slow.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Minor.

Topography: Site slopes down to the south.

## **TRANSPORTATION**

Direct Access to Site: Kester Mill Road, Jonestown Road (area wide)

Street Classification: Kester Mill Road - local; Jonestown Road - minor thoroughfare.

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

Jonestown Road between Hanes Mall Blvd and I-40 - 16,400/27,000

Trip Generation/Existing Zoning: RS-9 = 13,230/9000 = 10 trips + LO-S = 2,724/1000  
= 2.724 11.01 = 30 trips; total trips = 40

Trip Generation/Proposed Zoning: LB-S = [2,748 (prof. office) + 1,497 = 4,245/1000  
11.01 = 47 trips] + [1,497 (med/dental) / 1000 36.13 = 54 trips] + [4,000/1000  
24.87 = 99 trips]; total trips = 200

Planned Road Improvements: State TIP Project # B-4336 (construction of Kester Mill Road bridge over Silas Creek); Construction 2004

Sight Distance: Good.

Interior Streets: Private.

Transit: Route 12 (along Jonestown between 421 and Country Club Road)

## **HISTORY**

Relevant Zoning Cases:

1. W-2373; RS-9 to GI and GI-S (Buffer); approved March 6, 2000; north side of Kester Mill Road west of Jonestown Road; 8.62 acres; Planning Board recommended denial, staff recommended approval.
2. W-2134; LO-S (Professional Office) and RS-9 to LO-S (Professional Office); approved March 3, 1997; south side of Kester Mill Road at the intersection of Kester Mill Road and Kirk Road; 0.91 acre; Planning Board and staff recommended approval.
3. W-2028; RS-9 to GB-S (Warehousing); approved February 19, 1996; southwest side of Kirk Road north of Kester Mill Road; 0.83 acre; Planning Board and staff recommended approval.

## **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): Separation and buffering of commercial from residential uses.

Area Plan/Development Guide: The project is not located within a development guide study area.

## **ANALYSIS**

The subject site consists in part of an existing LO-S office use. The petitioners propose expanding the existing uses and adding approximately 0.3 acre to the site. Although the proposed office uses are allowed in the LO zoning district, the "Services, Business A" use is not; therefore, the request is for LB-S zoning.

The area to the north and east is principally a commercial neighborhood, with a combination of General Business, Highway Business, Limited Industrial, and Limited Office zoning in the immediate vicinity along with RM-U-S land that abuts the site. To the west and south are large undeveloped tracts zoned RS-9. The existing Limited Office district zoning at this site has provided a transition from the commercial uses to the north and east of the site to the residentially zoned land to the west and south.

Appropriate buffering along the portion of the site that adjoins RS-9 zoning should be adequate to maintain the existing mixed use character of the neighborhood while protecting future possible residential development to the west and south. The slight increased intensity of use on the site is not expected to have a noticeable effect on the surrounding area.

## **FINDINGS**

1. The subject site consists in part of an existing LO-S office use. The petitioners propose expanding the existing uses and adding approximately 0.3 acre to the site.
2. This petition is consistent with the goals of *Vision 2005*.
3. The surrounding area currently contains both business uses to the north and east, and residential zoning to the west and south. The Limited Business zoning district proposed for the site will continue to provide an adequate transition between the two.
4. Adequate buffering is proposed to meet requirements and maintain the separation between the site and adjoining residential property.

## **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

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

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS FOR THE FUTURE PHASE**
  - 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.
  
- C **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Developer shall widen Kester Mill Road with curb and gutter 18 feet from centerline through the frontage of the property to the specifications of the Public Works Department of the City of Winston-Salem.
  - b. A fifteen (15) foot Type II bufferyard shall be installed along the western and southern property lines.
  - c. The chain link fence shown on the site plan shall be coated with either black or green vinyl.
  
- C **OTHER REQUIREMENTS**
  - a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet.

[*For information purposes only:* The draft *Legacy* plan identifies the area within which the project lies as the Suburban Neighborhoods area of the Municipal Services Area. The Suburban Neighborhoods area contains most of the undeveloped land appropriate for future residential, commercial, industrial, and institutional development. The plan recommends future urban and suburban development as appropriate.]

## **PUBLIC HEARING**

FOR: None

AGAINST: None

## **WORK SESSION**

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

SECOND: James Rousseau

VOTE:

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

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Steve Johnson certifies that the site plan meets all code requirements and recommends staff conditions.

SECOND: James Rousseau

VOTE:

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

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning