



DOCKET #: W2426

PROPOSED ZONING:

HB-S (Multiple Business Uses)

EXISTING ZONING:

HB-S (Food or Drug Store; and Furniture and Home Furnishings Store)

PETITIONER:

James W. Strader and Bobbie R. Strader

SCALE: 1" represents 200'

STAFF: McGee

GMA: 3

ACRE(S): 1.15

MAP(S): 624838

October 18, 2000

James W. and Bobbie R. Strader
2701 Peters Creek Parkway
Winston-Salem, NC 27107

RE: ZONING MAP AMENDMENT W-2426

Dear Mr. & Mrs. Strader:

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: October 25, 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 James W. Strader and Bobbie R. Strader Trustees

SUMMARY OF INFORMATION:

Zoning map amendment of James W. Strader and Bobbie R. Strader Trustees from HB-S (Furniture & Home Furnishings Store; Offices, Miscellaneous; Professional Office; and Storage Services, Retail) to HB-S (General Merchandise Store; Retail Store, Specialty or Miscellaneous; Furniture & Home Furnishings Store; Offices, Miscellaneous; Professional Office; and Storage Services, Retail): property is located on the southeast corner of Peters Creek Parkway and Brewer Road (Zoning Docket W-2426).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning map amendment of James W. Strader and Bobbie R. Strader Trustees, Docket W-2426

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 HB-S Highway Business District (Furniture & Home Furnishings Store; Offices, Miscellaneous; Professional Office; and Storage Services, Retail) to HB-S Highway Business District (General Merchandise Store; Retail Store, Specialty or Miscellaneous; Furniture & Home Furnishings Store; Offices, Miscellaneous; Professional Office; and Storage Services, Retail) the zoning classification of the following described property:

BEGINNING at an iron located in the eastern right-of-way of Peters Creek Parkway, the northwest corner of Aldi, Inc. as recorded in Deed Book 1988, Page 1066, the Forsyth County Register of Deeds: thence with the eastern right-of-way of Peters Creek Parkway, the three following courses and distances: 1) north 02° 51' 13" east 121.11 feet to a point, 2) north 03° 03' 32" east 85.81 feet to a point, 3) north 54° 41' 08" east 57.38 feet to a point, located in the south right-of-way of Brewer Road, thence with the south right-of-way of Brewer Road south 62° 00' 45" east 256.02 to an iron, the northwest corner of Victor I. Flow, Jr., Tax Lot 101D, Block 3818 as recorded in Deed Book 1998, Page 877, thence with Victor L. Flow Jr. south 18° 11' 40" west 70.74 feet to a point in the west right-of-way of Cliff Street, thence with Cliff Street and a recorded access easement with the four following courses: 1) south 52° 29' 50" west 30.11 feet to a point, 2) a curve to the left, 105.50 feet radius and chord south 36° 43' 38" west 38.97 feet, 3) a curve to the left 280.50 foot radius and chord south 11° 08' 11" west 8.62 feet to a point, and 4) a curve to the left 281.00 foot radius and chord south 9° 29' 10" west 4.91 feet to a point in the north property line of Aldi, Inc., thence with the north line of Aldi, Inc. north 87° 08' 47" west 211.82 feet to an iron, the place of BEGINNING. Said tract being Tax Lots 101E and 201, Block 3818A, containing 1.15 acres, more or less.

Section 2. This Ordinance is adopted after approval of the site plan entitled James W. Strader and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to James W. Strader and Bobbie R. Strader Trustees.

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 James W. Strader. 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 James W. Strader and Bobbie R. Strader Trustees, (Zoning Docket W-2426). 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 (General Merchandise Store; Retail Store, Specialty or Miscellaneous; Furniture & Home Furnishings Store; Offices, Miscellaneous; Professional Office; and Storage Services, Retail), 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 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 conditions be met:

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. All streetyard landscaping and other landscaping shown on the site plan shall be installed.

- **OTHER REQUIREMENTS**
 - a. There shall be only one (1) freestanding sign allowed on this property. No new sign shall be permitted. Any replacement sign shall be limited to a monument type with a maximum height of fifteen (15) feet.

ZONING STAFF REPORT

DOCKET # W-2426
STAFF: Anthony McGee

Petitioner(s): James W. Strader and Bobbie R. Strader
Ownership: James W. Strader and Bobbie R. Strader, Trustees

REQUEST

From: HB-S Highway Business District (Furniture & Home Furnishings Store; Offices, Miscellaneous; Professional Office; and Storage Services, Retail)
To: HB-S Highway Business District (General Merchandise Store; Retail Store, Specialty or Miscellaneous; Furniture & Home Furnishings Store; Offices, Miscellaneous; Professional Office; and Storage Services, Retail)

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

Acreage: 1.15 acres

LOCATION

Street: East side of Peters Creek Parkway, south of Brewer Road.
Jurisdiction: City of Winston-Salem.
Ward: South.

SITE PLAN

Proposed Use: This petition seeks to add the following uses: "General Merchandise Store" and "Retail Store, Specialty or Miscellaneous" to the uses previously approved for this site in zoning petition number W-2347.

Square Footage: 5,300 square feet in the subject building.

Building Height: One story commercial.

Parking: Parking is provided in the front of the building.

Bufferyard Requirements: None required.

Vehicular Use Landscaping Standards Requirements: Required on all surface parking lots.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Two buildings.

Adjacent Uses:

North - Parkland High School zoned IP.

East - Multifamily housing zoned RM-18.

South -Aldi Food Store zoned HB-S.

West -Across Peters Creek Parkway are a Gulf Convenience Store and BB&T bank both zoned HB-S.

GENERAL AREA

Character/Maintenance: The area is a mixture of older single and multifamily residential structures with some older and newer commercial structures. The newer commercial uses are of good quality (attractive building and landscaping), and are located directly west of the project site (BB&T Bank and BP Station) and south in the SouthPark commercial development on both sides of Peters Creek Parkway.

Development Pace: Moderate.

CONFORMITY TO PLANS

GMP Area: Area 3: Urban.

Relevant Comprehensive Plan Recommendation(s): Develop activity nodes at planned locations; separate and buffer commercial uses from residential areas; preserve stable residential areas.

ECONOMIC DEVELOPMENT

Prime Industrial Site: The site is not within a designated industrial opportunity area.

HISTORY

1. W-2347; HB-S (Multiple business uses) to HB-S (Multiple Business Uses); approved October 13, 1999; included new structure located between the existing home furnishings building and existing parking lot for the Aldi food store; Planning Board and staff recommended approval.
2. W-2316; HB-S (Food or Drug Store; Outdoor Display Retail; and Furniture and Home Furnishings Store - TWO PHASE) to HB-S (Multiple Business Uses); approved June 7, 1999; site included the land south of the Aldi food store which is currently under construction; Planning Board and staff recommended approval.
3. W-2194; RM-18, HB-S and HB-S to HB-S (Food or Drug Store; Outdoor Display Retail; Furniture and Home Furnishings Store); approved December 15, 1997; site included the decorating center property in this petition and the Aldi food store to the south; Planning Board and staff recommended approval.

4. W-1510; R-2, R-5, and B-3-S (Multiple business uses - TWO PHASE) to B-3-S (Motor vehicles, sale, repair, rental or storage) - reclassified HB-S in the UDO zoning conversion; approved May 2, 1988; this petition included all of the land south of the decorating center located at the corner of Peters Creek Parkway/NC 150 and Brewer Road (including most of the current site); the case approved two auto dealerships; Planning Board and staff recommended approval.
5. W-1136; R-2 to B-3-S (Stores or shops, retail) - reclassified HB-S in the UDO zoning conversion; approved May 7, 1984; petition for the existing decorating center at the corner of Peters Creek Parkway/NC 150 and Brewer Road. Planning Board and staff recommended approval.

ANALYSIS

This petition proposes to amend the previously approved site plan with the addition of the following uses: General Merchandise Store; and Retail Store, Specialty or Miscellaneous. In addition, the siding material indicated in the approved site plan is proposed to be modified to include a gray stucco material.

This location has high visibility on Peters Creek Parkway at the intersection of Brewer Road. Staff had concerns with the previously approved building's impact on adjacent development. The current proposal would not alter any of the physical characteristics of the site. The additional uses will not significantly alter the site and the stucco materials option requested will improve the appearance of the building.

FINDINGS

1. The subject property was recently approved for HB-S (Multiple Business Uses).
2. The additional uses requested will not significantly increase intensity of use on the property.
3. The option to use stucco siding materials should improve the building's appearance.

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 OCCUPANCY PERMITS**
 - a. All streetyard landscaping and other landscaping shown on the site plan shall be installed.

- **OTHER REQUIREMENTS**

- a. There shall be only one (1) freestanding sign allowed on this property. No new sign shall be permitted. Any replacement sign shall be limited to a monument type with a maximum height of fifteen (15) feet.

[*For information purposes only:* The project site lies within the Suburban Neighborhood portion of the Municipal Services Area as defined in the draft *Legacy* plan. The plan notes that the Suburban Neighborhoods area is appropriate for residential and nonresidential development in the future.]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

SECOND: Kerry Avant

VOTE:

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

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Steve Johnson moved approval of the site plan with staff recommendations.

SECOND: Kerry Avant

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning