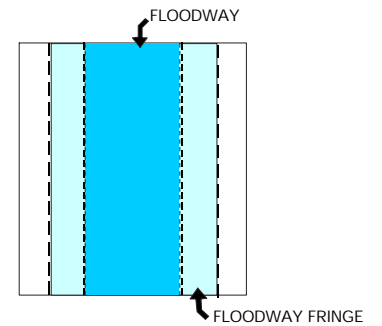


**DOCKET #:** F1344

**PROPOSED ZONING:**  
NSB-S (Neighborhood Shopping Center)

**EXISTING ZONING:**  
RS9

**PETITIONER:**  
Buel B. Barker and  
Vickie B. Barker



**SCALE:** 1" represents 600'

**STAFF:** Hughes

**GMA:** 3

**ACRE(S):** 7.24

**MAP(S):** 624818, 624822



## **DRAFT ZONING STAFF REPORT**

**DOCKET #** F-1344  
**STAFF:** Suzy Hughes

Petitioner(s): Buel B. Barker, Jr. and Vickie B. Barker  
Ownership: Same

### **REQUEST**

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf  
To: NSB-S Neighborhood Shopping Center District (Neighborhood Shopping Center)

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

Acreage: 7.24 acres

### **LOCATION**

Street: East side of Peters Creek Parkway north of Fishel Road.  
Jurisdiction: Forsyth County.

### **SITE PLAN**

Proposed Use: Neighborhood Shopping Center.  
Square Footage: 41,020 sf.  
Building Height: Single Story Commercial.  
Parking: Required: 182; Proposed: 187.  
Bufferyard Requirements: 15 foot type III adjoining RS-9 zoning.  
Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: None.

Adjacent Uses:

- North - Vacant land and floodplain zoned RS-9.
- East - Vacant land zoned RS-9.
- South - Vacant land zoned RS-9.
- West - Vacant site, zoned RM-8-S, and another proposed rezoning, F-1343.  
Further north across Peters Creek Parkway is vacant wooded land zoned RS-9.

## **GENERAL AREA**

Character/Maintenance: Rural wooded area.

Development Pace: Moderate.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Site will have to be extensively graded. There is also an unnamed stream on site.

Topography: GIS maps indicate a grade change of approximately 50' on either side of the stream that dissects this property.

Streams: A stream dissects this property.

Vegetation/habitat: Site is heavily wooded

Constraints: Site will have to be graded. There is a stream on site. The site has a good deal of rough topography.

Natural Heritage Sites: Friedburg Marsh exists approximately ¾ mile to the northwest of this site. The marsh is a 3+ acre site at the intersection of Old Salisbury Road and the South Fork of Muddy Creek that is owned by the NC Department of Transportation.

Compliance with Federal/State requirements for wetland/stream protection: The petitioner must meet Erosion Control requirements from the UDO. The petitioner should also obtain appropriate permits from the US Army Corps of Engineers and NC Department of Water Quality before attempting any channel modifications or dredging.

## **TRANSPORTATION**

Direct Access to Site: Peters Creek Parkway.

Street Classification: Peters Creek Parkway - major thoroughfare.

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

Peters Creek Parkway between Fishel Road and Bridgeton Road: 13,000/12,500.

Trip Generation/Existing Zoning: RS9.

$7.24 \times 43,560/9,000 = 35 \text{ units} \times 9.57 \text{ (SF Trip Rate)} = 334 \text{ trips per day}$

Trip Generation/Proposed Zoning: NSB-S (Neighborhood Shopping Center)

$41,020/1,000 = 41.02 \times 42.92 \text{ (Gross Leasable Area)} = 1,760 \text{ trips per day}$

Planned Road Improvements: Widen NC150/Peters Creek Pkwy to a 4-lane median divided facility from existing multi-lanes in Winston-Salem to Davidson County Line; under construction.

## **HISTORY**

### Relevant Zoning Cases:

1. F-1325; RS-9 to RM-8-S (Residential Building, Multifamily; Residential Building, Townhouse); approved December 8, 2000; west side of Peters Creek Parkway southwest of Morning Glory Road (current site is portion of); 37.63 acres; Planning Board and staff recommended approval.
2. F-1185; RS-9 to HB-S (Outdoor Display Retail); approved February 10, 1997; west side of Peters Creek Parkway north of Friedberg Church Road; 6.18 acres; Planning Board and staff recommended approval.
3. F-1182; RS-9 to RM-12-S (Residential Building, Multifamily); approved January 27, 1997; west side of Peters Creek Parkway south of Bridgeton Road; 22.69 acres; Planning Board and staff recommended approval.
4. F-1181; RS-9 to HB-S [Golf Driving Range; Recreation Services, Indoor; Recreation Services, Outdoor; Retail Store, Specialty or Miscellaneous; Non-Store Retailer; and Restaurant (without drive-through service)]; approved January 27, 1997; 28.79 acres; Planning Board and staff recommended approval.
5. F-764; R-6 to B-3-S [Stores or shops, retail; Clubs or lodges, private; Fraternity or sorority houses; Eating establishments; Offices; Services (multiple)]; approved February 10, 1986; 2.27 acres; Planning Board and staff recommended approval.

## **CONFORMITY TO PLANS**

GMP Area (*Legacy*): Suburban.

Relevant Comprehensive Plan Recommendation(s): The South Activity Center at Peters Creek Parkway and the planned extension of Clemmons Road has been identified in *Legacy* as an activity center. It is located approximately 1.8 miles north from the petitioner's site on Peters Creek Parkway. Metro Activity centers are not intended to contain all commercial development within a region of the county.

Locations for the numerous existing and future neighborhood and community level centers were not identified on the generalized growth management plan map in *Legacy*. Staff is currently working to map existing neighborhood and community-level commercial areas. Potential locations for new neighborhood and community serving commercial areas will be identified as more detailed area plans are prepared for the city and county.

Area Plan/Development Guide: This site is not within the boundaries of a development guide or area plan.

## **ANALYSIS**

This request is to rezone 7.24 acres from RS-9 to NSB-S (Neighborhood Shopping Center). The property is located on the east side of NC 150 (Peters Creek Parkway) north of Fishel Road. The

property is unusually long and narrow having 1,724 feet of frontage along NC 150 and average width of only +/-200 feet. The property is also divided by a creek which effectively creates two separate locations for building development and vehicular access.

Staff notes that this request is one of two independent NSB-S zoning considerations currently under review in the same general area. The other NSB-S request (F-1343) is located on the west side of NC 150 immediately opposite the current location. The two requests propose to share access to NC 150 at a strategically located signalized intersection along NC 150 which is currently under construction as a four lane limited access facility.

While each of the two zoning requests must be considered on their on merits, staff notes that the NSB district is unique in its purpose to serve the shopping and service needs of local residential neighborhoods. Specifically the NSB district is intended to be an integrated, self-contained and pedestrian-oriented commercial development which is limited in the types of commercial uses allowed and is restricted to less than fifteen acres in size. Most importantly, the NSB district is not intended to promote highway-oriented development and should not be considered, if approved, as a precedent for further commercial uses to develop in the area around it. In this context staff believes that it would be generally inconsistent with the purpose of the NBS district for two such districts to be approved next to or across from each other.

Both sites are located approximately 1.8 miles south of a proposed Metro Activity Center as designated in *Legacy*. This activity center is proposed at the new future intersection of Clemmons Road extension and Peters Creek Parkway (NC 150). Although the current site is relatively close, staff is of the opinion that a properly designed neighborhood shopping center could be compatible with the purpose of the NSB district and should not adversely affect the future economic success of the designated metro activity center at the Clemmons Road location.

Given that the area around the proposed NSB-S site is likely to grow substantially with new residential uses, staff could be supportive of an appropriately designed NSB-S project that is well integrated with adjacent residential properties. Unfortunately, however, the long, narrow configuration of the current site which stretches over 1,700 feet along the east side of NC 150 does not lend itself easily to the concept of a Neighborhood Shopping Center. Further, the site is bisected by a stream which topographically prohibits internal vehicular and pedestrian circulation and requires two separate points of access off NC 150.

Although the site designer has attempted to minimize the strip commercial nature of the proposed development, little can be done to overcome the inherent limitations of such a linear, narrow site stretching along the highway. One of staffs' primary concerns, if the zoning is approved, is that it will promote future requests for other highway-oriented strip commercial development elsewhere along this portion of NC 150 which has not as yet experienced that type of development. Particularly with construction underway to improve NC 150 to a limited access facility, staff is especially mindful not to promote strip commercial development at the current location and instead focus new commercial investment northward to the new metro activity center identified in *Legacy*.

Although the southernmost of the two access points to the property is proposed at a signalized intersection, there is virtually no direct pedestrian or vehicular relationship of the proposed development with adjacent residential neighborhoods.

In conclusion, staff believes that the property configuration and site plan are inconsistent with the objective of the neighborhood shopping center district.

### **FINDINGS**

1. The proposed site for the NSB-S request is unusually long and narrow.
2. The property is bisected by a stream which inhibits pedestrian and vehicular connections between the two developable portion of the property.
3. The site plan is limited in its ability overcome the inherent highway-oriented, strip commercial nature of the property.
4. The property has virtually no pedestrian or vehicular connection to adjacent existing or proposed residential neighborhoods.
5. If approved the development may promote more highway commercial development along NC 150 which could erode the potential for the proposed metro activity center farther north.
6. The proposal is generally inconsistent with the purpose and concept of the NSB zoning district.

### **STAFF RECOMMENDATION**

Zoning: **DENIAL**.

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

#### **C PRIOR TO ISSUANCE OF GRADING PERMITS**

- a. Developer shall cordon off all areas shown on the site plan as buffer areas or undisturbed areas including (area labeled natural bufferyard). These areas shall be retained and not disturbed. Trees in all these areas shall be protected from grading encroachment in accordance with UDO Section 3-4.2(H)(3).
- b. 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. On site fire hydrants will be required at locations approved by the Forsyth County Fire Department.

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

- a. Developer shall install required storm water management devices per approved plan.
- b. Fire hydrants shall be installed in accordance with the Forsyth County Fire Department.

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

- a. If above ground storm water management devices are installed on this property, a ten (10) foot streetyard landscaping area shall be installed around the entire perimeter of each facility.
- b. All required storm water management devices, either on-site or off-site, shall be installed per approved plans by the Public Works Department of the City of Winston-Salem.
- c. Stub street shall be constructed to the east property line with a temporary turnaround to the specifications of the Public Works Department of the City of Winston-Salem.

**C OTHER REQUIREMENTS**

- Two (2) freestanding ground signs shall be permitted for the shopping center. One sign shall be limited to a monument type with a maximum height of fifteen (15) feet. The second sign shall be limited to maximum height of Five (5) feet.