

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3394
<b>Staff</b>	<a href="#">Gary Roberts, Jr. AICP</a>
<b>Petitioner(s)</b>	Martha Merkle and Frederick Lowrey
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN#s 6823-45-3340, 6823-45-4388, 6823-45-5259, and 6823-45-5428
<b>Address</b>	2208 Old Salisbury Road
<b>Type of Request</b>	Special use rezoning from RS9 to LO-S
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> RS9 (Residential Single Family – 9,000 sf minimum lot size) <b>to</b> LO-S (Limited Office – special use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Museum or Art Gallery; Offices; Police or Fire Station; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Adult Day Care Center; Child Care Sick Children; Child Day Care Center; Residential Building, Multifamily; and Residential Building, Townhouse</li> </ul>
<b>Neighborhood Contact/Meeting</b>	<p>The following was received from the petitioners site plan preparer Nikole Kennerly, PE on December 4, 2018: “Letters concerning our rezoning case W-3394 were mailed on November 8, 2018 to the property owners within a 500 ft radius of our site which is located at the southeastern corner of Old Salisbury and West Clemmons Road. Approximately 50 letters were mailed, with 4 returned as “Not Deliverable”. No inquiries or concerns have been received by our office at this time. Updates will be forwarded prior to December 13 if concerns are raised by the community.”</p>
<b>Zoning District Purpose Statement</b>	<p>The LO District is primarily intended to accommodate moderately intense medical, professional, administrative, and government office uses on small to mid-sized sites, in a suburban setting. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so this district may serve as a transition between residential districts and commercial districts. This district is intended for application in GMAs 2 and 3.</p>
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<p><b>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Yes, the request is for a grouping of modest sized office buildings located at the intersection of two minor thoroughfares in a suburban setting near residences.</p>

GENERAL SITE INFORMATION						
<b>Location</b>	Southeast corner of Old Salisbury Road and West Clemmonsville Road.					
<b>Jurisdiction</b>	City of Winston-Salem					
<b>Ward(s)</b>	South					
<b>Site Acreage</b>	± 2.46 acres					
<b>Current Land Use</b>	With the exception of a few accessory buildings, the site is currently undeveloped.					
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>			<b>Use</b>	
	North	RS9 & IP			Two neighborhood scale churches	
	East	RS9			Advent Moravian Church office and undeveloped property	
	South	RS9			Undeveloped property	
	West	LB-S			Multi-tenant commercial building	
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>					
	Yes, considering the limited scale of the request and that the proposed office, institutional, and residential uses are compatible with the uses permitted on the adjacent properties.					
<b>Physical Characteristics</b>	The partially cleared site includes a mixture of deciduous and evergreen trees and has a gentle slope downward toward the southeast.					
<b>Proximity to Water and Sewer</b>	The site has access to water and sewer service.					
<b>Stormwater/ Drainage</b>	The site plan shows a stormwater management facility to be located in the southeastern corner of the site. A stormwater study will be required.					
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed.					
<b>Analysis of General Site Information</b>	The site is essentially undeveloped and partially wooded. It has favorable topography and it is not located within a designated floodplain or a water supply watershed.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2824	RS9 to LB-S	Withdrawn at City Council meeting 1-3-2006	Current site	2.46	Denial	Denial
F-1449	RS9 to LB-S	Withdrawn at County Commission meeting 1-23-2006	Current site	2.46	Denial	Denial

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Old Salisbury Road	Minor Thoroughfare	356'	11,000	13,800
West Clemmons ville Road	Minor Thoroughfare	201'	11,000	13,800
<b>Proposed Access Point(s)</b>	The site will have limited access to both West Clemmons ville Road and Old Salisbury Road.			
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: RS9</u>  <math>2.46 \times 43,560 \text{ sf} / 9,000 = 11 \text{ lots} \times 9.57 \text{ (SFR Trip Rate)} = 105 \text{ Trips per Day}</math></p> <p><u>Proposed Zoning: LO-S</u>  <math>3,000 \text{ sf} / 1,000 \times 36.13 \text{ (Medical-Dental Office Building Trip Rate)} = 108 \text{ Trips per Day for Phase 1} + 9,000 \text{ sf} / 1,000 \times 11.01 \text{ (General Office Building Trip Rate)} = 99 \text{ Trips per Day} = 207 \text{ Total Trips per Day}</math></p>			
<b>Sidewalks</b>	Sidewalks are required along both street frontages.			
<b>Transit</b>	Route 83 runs along Peters Creek Parkway located approximately 2,900' to the west.			
<b>Transportation Impact Analysis (TIA)</b>	A TIA is not required.			
<b>Analysis of Site Access and Transportation Information</b>	<p>The subject property is a corner lot located at the intersection of Old Salisbury Road and West Clemmons ville Road both of which have extra capacity. The site will have access onto both roads which will improve circulation and lessen potential traffic impacts at any one access point.</p> <p>Due to the proximity of both proposed driveways to the intersection, access will be limited to right-in right-out movements only on Old Salisbury Road where a three (3) foot concrete center median would be installed. Access onto West Clemmons ville Road would be limited to right-in, right-out, and left turn in only. Sidewalks will be constructed along both road frontages.</p>			
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS				
<b>Building Square Footage</b>	<b>Square Footage</b>		<b>Placement on Site</b>	
	3,000 sf for Phase 1 12,000 total square footage		Generally fronting along Old Salisbury Road	
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>	<b>Layout</b>	
	40 spaces	41 spaces	Internal to the site	
<b>Building Height</b>	<b>Maximum</b>		<b>Proposed</b>	
	40'		40'	
<b>Impervious</b>	<b>Maximum</b>		<b>Proposed</b>	

<b>Coverage</b>	75%	34.5%
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Chapter B, Article II, Section 2-1.3 (B) Limited Office District</li> </ul>	
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>	(A) <i>Legacy 2030</i> policies:	Yes
	(B) <i>Environmental Ord.</i>	NA
	(C) <b>Subdivision Regulations</b>	NA
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	The site plan illustrates a total of three one story office buildings to be constructed in multiple phases. Although the buildings would be setback at least 50' from the two adjacent streets, the proposed parking area is internal to the site. The proposed dumpster and stormwater management area will be located in the southeastern corner of the site.	
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>		
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 3 - Suburban Neighborhoods	
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>Promote a pedestrian-friendly orientation for new development and redevelopment and reduce the visual dominance of parking areas.</li> <li>Ensure appropriate transitional land uses or physical buffering between residential and nonresidential uses to maintain the character and stability of neighborhoods.</li> <li>Minimize the number of driveways along thoroughfares and arterials to reduce vehicular conflicts, increase pedestrian safety, and improve roadway capacity.</li> </ul>	
<b>Relevant Area Plan(s)</b>	<i>South Suburban Area Plan Update (2017)</i>	
<b>Area Plan Recommendations</b>	<p>The property is recommended for Office/Low Intensity Commercial use within the West Clemmonsville Road/Old Salisbury Road Activity Center. New development in this activity center should include:</p> <ul style="list-style-type: none"> <li>Installation of bufferyards, street yards, and parking area plantings where feasible.</li> <li>Buildings should be placed close to the street with parking located to the side or rear of buildings.</li> <li>Pedestrian-oriented connections between uses.</li> <li><u>Site specific recommendations for the subject property:</u> Office or low-intensity commercial development on the vacant land located on the southeast corner of the intersection of Old Salisbury Road with West Clemmonsville Road. Development here should give special consideration to building materials, architecture, and site design, to ensure compatibility with nearby residences and institutional uses.</li> </ul>	
<b>Site Located Along Growth Corridor?</b>	The site is not located along a growth corridor.	

<b>Site Located within Activity Center?</b>	The site is located within the West Clemmonsville Road/Old Salisbury Road Activity Center.
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(3) - Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>(R)(4) - Is the requested action in conformance with <i>Legacy 2030</i>?</b>
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>Yes</p> <p>The request is to rezone a 2.46 acre tract from RS9 to LO-S in order to accommodate three modest scaled office buildings. The site is located at the intersection of two minor thoroughfares and it is adjacent to a mixture of institutional, commercial, and low density residential uses.</p> <p>The <i>South Suburban Area Plan Update</i> identifies the site as being with the West Clemmonsville Road/Old Salisbury Road Activity Center. Office or low-intensity commercial development is specifically recommended for this property. The plan further states that new development should assume an urban form with the parking areas located to the side or rear of the buildings. Similarly, <i>Legacy 2030</i> promotes pedestrian-friendly building orientation for new development and reducing the visual dominance of parking areas.</p> <p>The request is consistent with the land use recommendation of the area plan because it includes a limited degree of office, residential, and institutional uses. The proposed site design is also consistent with both the area plan and <i>Legacy 2030</i> in regard to building placement and internalized parking. Staff notes that when pedestrian oriented building placement occurs, a greater emphasis on the building design (including fenestration and materials) naturally occurs due to the increased visibility of the building(s). Because of this, the area plan correctly states that special consideration should be given to building materials, architecture, and site design to new development on the subject property. Staff believes the proposed building elevations (along with additional, non-required landscaping between the buildings and both streets) adequately address this concern. The request also includes a lighting condition.</p> <p>Considering the subject property has undergone multiple rezoning attempts in the past, staff commends the developer for comprehensively assembling multiple parcels in a manner which fully addresses the site specific recommendations of the <i>South Suburban Area Plan Update</i>. Planning staff recommends approval.</p>

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The request is consistent with the recommendations of <i>Legacy 2030</i> and with the site specific recommendations of the area plan including building placement, land use, and architecture.	The request would contribute additional traffic to this intersection.
The site is located at the intersection of two minor thoroughfares and it is a reasonable location for LO-S zoning.	
The request is for a limited number of office, residential, and institutional uses which typically generate less traffic than retail or restaurant uses.	
The request includes a comprehensive assemblage of parcels with coordinated access.	

**SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  - a. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.
  - b. Developer shall obtain a driveway permit from NCDOT and the City of Winston-Salem; additional improvements may be required prior to issuance of driveway permit. Required improvements for Phase One shall include:
    - Dedication of right-of-way forty (40) foot from the centerline of both Old Salisbury Road and West Clemmons Road.
    - Installation of sidewalk along both Old Salisbury Road and West Clemmons Road.
    - Installation of a three (3) foot wide concrete median within Old Salisbury Road as shown on site plan.
    - Right-in, right-out, and left turn in only access only allowed onto to West Clemmons Road.
  - c. Future phases shall require the construction of a slip lane along the entrance onto Old Salisbury Road as shown on site plan.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  - a. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on “Exhibit A” as verified by Planning staff.
  - b. An engineered lighting plan shall be submitted to the Inspections Division which complies with the following: (1) maximum pole height of twenty-five (25) feet; (2)

full cut-off fixtures; (3) any wallpacks or attached lighting shall be angled downward and away from all public streets; and (4) no more than 0.5 ft/candle along all public right-of-ways and adjacent to residential zoning.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  - a. Lighting shall be installed per approved lighting plan and certified by an engineer.
  - b. Buildings shall be constructed in substantial conformance with the approved building elevations as approved by Planning staff.
  - c. Developer shall complete all requirements of the driveway permit for each phase.
  - d. Developer shall comply with the stormwater management requirements.
  - e. Developer shall install additional trees and shrubs shown around the buildings unless existing trees can be saved as approved by Planning staff. Size and number of proposed trees and shrubs to be determined during each building phase and if existing trees are saved, they may be credited toward the tree save requirements.

**STAFF RECOMMENDATION: Approval**

**NOTE:** These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3394  
DECEMBER 13, 2018**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe moved approval of the zoning petition and certified that the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: Tommy Hicks

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith

AGAINST: None

EXCUSED: None

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Aaron King  
Director of Planning and Development Services