

**CITY-COUNTY PLANNING BOARD**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3380
<b>Staff</b>	Gary Roberts, Jr. AICP
<b>Petitioner(s)</b>	Hillcrest Property Development, LLC
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN# 6803-79-9726
<b>Address</b>	The new address will be 2365 Winterhaven Lane
<b>Type of Request</b>	Special use rezoning from MU-S to MU-S to add the use of Storage Services, Retail
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> MU-S (Mixed Use – Special Use District - Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; Combined Use; Life Care Community; Planned Residential Development; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store; Shopping Center; Banking and Financial Services; Bed and Breakfast; Funeral Home; Hotel or Motel; Offices; Services, A; Services, B; Testing and Research Lab; Veterinary Services; Golf Course; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Adult Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Child Day Care, Large Home; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Library, Public; Museum or Art Gallery; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; and Stadium, Coliseum, or Exhibition Building) <b>to</b> MU-S (Mixed Use – Special Use District). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Food or Drug Store; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Hotel or Motel; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Offices; Recreation Facility, Public; Recreation Services, Indoor; Restaurant (without drive-through service); Retail Store; Services A; Stadium, Coliseum or Exhibition Building; Storage Services, Retail; Swimming Pool, Private; Testing and Research Lab; Theater, Indoor; Veterinary Services; Adult Day Care Center; Child Care, Sick Children; and Child Day Care Center</li> </ul>
<b>Neighborhood Contact/Meeting</b>	See Attachment A for a summary of the petitioner’s neighborhood outreach.

GENERAL SITE INFORMATION						
<b>Location</b>	Northwest corner of Stratford Road and Somerset Drive					
<b>Jurisdiction</b>	City of Winston-Salem					
<b>Ward(s)</b>	Southwest					
<b>Site Acreage</b>	± 1.54 acres					
<b>Current Land Use</b>	The site is currently undeveloped.					
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>		<b>Use</b>		
	North	MU-S		A rehabilitation hospital under construction and a modest sized multi-tenant medical office building		
	East	GI		Industrial uses across Stratford Road		
	South	NSB-S		Sheetz		
	West	MU-S		Police Station		
<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>					
	The proposed additional use of Storage Services, Retail is compatible with the mixture of uses permitted on the adjacent properties.					
<b>Physical Characteristics</b>	The site has been graded and is essentially flat.					
<b>Proximity to Water and Sewer</b>	The site has access to public water and sewer.					
<b>Stormwater/ Drainage</b>	A stormwater study was conducted as part of the initial Hillcrest development. The stormwater runoff from the site will drain into an existing stormwater pond located at the northwestern edge of said development close to Little Creek.					
<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 was rough graded at the time the adjacent streets and infrastructure were constructed. There are no apparent development constraints such as steep slopes, watershed areas, or floodplains.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3317	MU-S to Site Plan Amendment	Approved 2-6-2017	Directly northwest	6.24	Approval	Approval
W-2763	MU-S Two Phase Site Plan Amendment	Approved 6-6-05	Included current site	161.5	Denial	Approval
W-2582	RS9 to MU-S Two Phase	Approved 2-3-03	Included current	161.5	Approval	Approval

			site		
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>					
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>Average Daily Trip Count</b>	<b>Capacity at Level of Service D</b>	
Winterhaven Lane	Private Street	154'	NA	NA	
Somerset Drive	Minor Thoroughfare	93'	4,900	13,800	
Stratford Road	Boulevard	230'	20,000	43,500	
<b>Proposed Access Point(s)</b>	The site will be accessed from Winterhaven Lane and have a cross access connection to the adjacent medical office building.				
<b>Trip Generation - Existing/Proposed</b>	Proposed Zoning: MU-S 73,268 sf / 1,000 x 2.5 (Mini-Warehouse Trip Rate) = 183 Trips per Day				
<b>Sidewalks</b>	Sidewalks are currently located along both sides of Winterhaven Lane.				
<b>Transit</b>	Route 102 runs along Stratford Road.				
<b>Connectivity</b>	The adjacent medical office building has a cross access easement that connects to the subject property. The proposed development will connect to this easement.				
<b>Transportation Impact Analysis (TIA)</b>	A Traffic Impact Study was submitted as part of the original MU-S rezoning (W-2582).				
<b>Analysis of Site Access and Transportation Information</b>	The proposed use of Storage Services, Retail is not a high traffic generating use and the trips are generally dispersed throughout the day rather than at peak times. The site is adjacent to Stratford Road which is served with transit and the site will be accessed from Winterhaven Lane. A sidewalk will be installed along the Winterhaven Lane frontage.				
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>					
<b>Building Square Footage</b>	<b>Square Footage</b>		<b>Placement on Site</b>		
	73,268		Central portion of the site		
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>		<b>Layout</b>	
	3 spaces	10 spaces		90° head end	
<b>Building Height</b>	<b>Maximum</b>			<b>Proposed</b>	
	NA			3 stories	
<b>Impervious Coverage</b>	<b>Maximum</b>			<b>Proposed</b>	
	85%			69.48%	
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Chapter B, Article II, Section 2-1.5 (C) Mixed Use –Special Use District</li> </ul>				
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>	<b>(A) Legacy 2030 policies:</b>		Yes		
	<b>(B) Environmental Ord.</b>		NA		
	<b>(C) Subdivision Regulations</b>		NA		

<b>Analysis of Site Plan Compliance with UDO Requirements</b>	The proposed site plan is for a three story, 73,268 square foot Storage Services, Retail building and associated parking. The site plan meets UDO requirements.
<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 activity centers as compact, mixed-use areas supporting walking and transit use and providing services and employment close to residences.</li> <li>Promote quality design so that infill does not negatively impact surrounding development.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>Southwest Suburban Area Plan Update (2015)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>Commercial uses are recommended for the Hillcrest Activity Center.</li> <li>Commercial areas should be compact with limited access to major thoroughfares and should not promote strip development.</li> </ul>
<b>Site Located Along Growth Corridor?</b>	The site is located along the South Stratford Road Growth Corridor where Suburban Form is recommended.
<b>Site Located within Activity Center?</b>	The site is located within the Hillcrest/Somerset 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>
	Yes, a site plan amendment for a 68,500 square foot building was approved on the 6.24 acre site located across Winterhaven Lane (W-3317). This building is now in the final stages of construction.
	<b>(R)(4) - Is the requested action in conformance with Legacy 2030?</b>
	Yes
<b>Analysis of Conformity to Plans and Planning Issues</b>	The purpose of the subject rezoning from MU-S to MU-S is to add the use of Storage Services, Retail. The Hillcrest development was approved in 2003 through a rezoning to the MU-S Mixed Use - Special Use District. This district is intended to accommodate a comprehensively planned, mixed use community which is pedestrian oriented with on-street parking, buildings pulled up to the street, and building entrances facing the street. The site is also located within the Hillcrest/Somerset Activity Center.
	The approved conditions for the original Hillcrest rezoning address these elements and the proposed building placement is consistent with the original intent as it is pulled up to Winterhaven Lane. The petitioner has also submitted attractive building elevations.
	In regard to the proposed use of Storage Services, Retail, Planning staff

notes that this use is not typically considered to be neighborhood serving nor is it recommended for inclusion within activity centers. However, staff also notes that it has been over fifteen years since the Hillcrest development was approved and the “village center” development concept as shown in the original site plan has not been fully realized leaving much of the area undeveloped.

Finally, conditions of the original approval also dealt with the maximum number of residential units and nonresidential square footage allotments for the different uses within the Neighborhood Center/Mixed Use - Area 1. The petitioner has submitted an inventory of the extent of approved development thus far. This inventory indicates that the proposed square footage (which falls within the Business & Personal Services Uses/Institutional & Public Uses category) is in compliance with said conditions. Planning staff recommends approval.

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

Positive Aspects of Proposal	Negative Aspects of Proposal
The request would facilitate the development of a commercially zoned site which has remained undeveloped since 2003.	The site is within an activity center and the proposed use of Storage Services, Retail is not considered a use that generates pedestrian activity.
Storage Services, Retail is a non peak hour, low trip generating use.	
The request includes attractive building elevations.	

**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.

Original conditions of approval to be retained are shown in standard type.  
*New conditions are shown in italics.*  
 Original conditions of approval to be deleted are shown with a ~~strike through~~.

- **PRIOR TO 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. Parapet walls shall be added to the elevations as needed to screen rooftop mechanical equipment from street level along Stratford Road, Somerset Drive, and Winterhaven Lane.*
  - b. *An engineered lighting plan shall be submitted to Inspections for the proposed lighting along Hillcrest Center Drive demonstrating the use of full-cut off fixtures, light height of twenty-five (25) feet or less and no more than 0.5 foot-candles at the property line.*
  - c. The maximum impervious area for the Neighborhood Center/Mixed Use - Area 1 shall be seventy-five (75) percent with individual lots being limited to a maximum impervious area of eighty-five (85) percent.
  - d. *Developer shall dedicate right-of-way along Somerset Drive as shown on site*

*plan.*

• **PRIOR TO 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. Street trees shall be provided at a maximum fifty (50) feet on center on both sides of all public streets. Street trees may be located between the back of curb and sidewalk/right-of-way with a maintenance agreement provided by either the Developer or Property Owners' Association.

• **OTHER REQUIREMENTS:**

- a. Maximum allowable square footage for Business & Personal Services Uses/ Institutional & Public Uses shall be 520,000 square feet with the following exception: The allowable square footage may be increased above the maximum by reducing the maximum allowable Retail & Wholesale Trade Uses by 1 square foot for every square foot of Business & Personal Services Uses/Institutional & Public Uses added.
- b. Maximum allowable square footage for Retail & Wholesale Trade Uses shall be 80,000 square feet with the following exception: The allowable square footage may be increased above the maximum by reducing the maximum allowable Business & Personal Services by two square feet for every square foot of Retail & Wholesale Trade Uses added.
- c. Maximum number of Residential Units shall be 340 units with the following exception: The maximum number of units allowed may be increased by reducing the maximum allowable Retail & Wholesale Trade Uses by 500 square feet or by reducing the maximum allowable Business & Personal Services Uses/Institutional & Public Uses by 1000 square feet for every unit added.
- d. Individual buildings shall have a maximum total square footage of 100,000 square feet. Buildings linked together by awnings, pedestrian bridges or covered hallways may be counted as separate structures.
- e. Buildings shall be primarily oriented towards public streets. Buildings shall have at least one entrance oriented towards the public street.
- f. Fronts of buildings shall have a maximum setback of 20' from the right-of-way of public streets internal to the property.
- g. The overall lineal footage of building frontage along the main entrance drive (Hillcrest Drive) may not be reduced more than 40 % from that as shown on the site plan. A decorative wall, fence or hedge a minimum of 3' in height shall be provided at the building line where building frontage is reduced.
- h. Building footprints, parking lot configurations, and road layouts shall have the flexibility to be adjusted from those shown on the plan. Building footprints and parking lots can shift location and shape. Any changes or adjustments pursuant to this condition shall continue to retain the design elements described in Conditions 6-10 and shall relate to other areas in a general similar fashion as shown on plan. Adjustments according to this condition shall not require a staff change.
- i. Off-street parking shall be located to the rear or side of the building per section

- 2-1.5(C)(3)(c) of the Forsyth County/Winston-Salem UDO.
- j. Any building, other than single-family residential structures, or either in whole or in part within 300' from the common property lines between the property and adjoining Tax Block 3900 Lot 20 and Tax Block 3900B Lot 16 shall be limited to two stories and thirty-five (35) feet in height.
  - k. Hotel use is limited to three stories and shall be limited in location within six hundred (600) feet of the Stratford Road right-of-way line.
  - l. *Developer shall be permitted one freestanding sign to be located along Stratford Road. Sign shall be a monument type with a six (6) foot maximum height and a thirty six (36) foot maximum area. As volunteered by the petitioner, electronic message board signs shall not be permitted.*

**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.**

---

---

**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3380  
SEPTEMBER 13, 2018**

Aaron King presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

George Bryan expressed concern that the space is not developing in the way that it was intended to be used, and that it is not part of the dream that was fought hard for by the residents of the community. A storage building being in such a visible place was not considered walkable mixed-use retail, as promised by the developers.

Melynda Dunigan raised the question of whether electronic signs were allowed under MU-S, and expressed her concern with electronic signs in this area. The Petitioner was present and agreed to the condition that no electronic signs would be allowed.

Discussion was had related to the nearby underperforming retail center, the fact that the plan is 15 years old, and that the market is dictating what the property can be developed for, regardless of the grandeur of the plan.

**MOTION:** Clarence Lambe moved approval of the zoning petition, with revised sign condition, and certified the site plan (including staff recommended conditions) meets all UDO requirements if the petition is approved.

**SECOND:** Jason Grubbs

**VOTE:**

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

AGAINST: George Bryan

EXCUSED: None

---

Chris Murphy, AICP  
Acting Director of Planning and Development Services