

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3393
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Jemsite Development, LLC
Owner(s)	Same
Subject Property	PIN# 6817-83-6864
Address	The address for the proposed establishment will be issued prior to permitting.
Type of Request	Site Plan Amendment from a Banking and Financial Services use to a Motor Vehicle, Repair and Maintenance use in a GB-S zoning district.
Proposal	<p>The petitioner is requesting a site plan amendment to the existing GB-S zoned property.</p> <p>The approved uses from the previously approved zoning case (W-3266) for this site are:</p> <p>Residential Building, Townhouse; Residential Building, Multifamily; Combined Use; Life Care Community; Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Nursery, Lawn and Garden supply Store, Retail; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store; Shopping Center; Shopping Center, Small; Banking and Financial Services; Bed and Breakfast; Funeral Home; Hotel or Motel; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Offices; Services, A; Testing and Research Lab; Veterinary Services; Recreation Services, Indoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; College or University; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; Park and Shuttle Lot; Parking, Commercial; and Utilities</p>
Neighborhood Contact/Meeting	See Attachment A for a summary of the petitioner's neighborhood outreach.
GENERAL SITE INFORMATION	
Location	West side of Silas Creek Parkway, north of Fairlawn Drive
Jurisdiction	City of Winston-Salem
Ward(s)	North
Site Acreage	± .87 acre
Current Land Use	The site is currently undeveloped.

Surrounding Property Zoning and Use	Direction	Zoning District	Use			
	North	RM12-S	Apartments			
	East	RM18-S	Undeveloped property			
	South	GB-S	Lidl grocery store			
	West	RM18-S & GB-S	Apartments and Lidl grocery store			
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	The approved use of Motor Vehicle, Repair and Maintenance is generally compatible with the uses permitted on the adjacent GB-S zoned property and less compatible with the uses permitted on the adjacent RM12-S and RM18-S zoned properties.					
Physical Characteristics	The site has been graded.					
Proximity to Water and Sewer	Public water and sewer are available to the site.					
Stormwater/ Drainage	A stormwater study was required prior to the issuance of the grading permit. The recent site plan amendment for the subject property (W-3343) included a condition that requires the developer to retrofit the existing stormwater management facility which was previously constructed on the multifamily residential development located directly to the northwest. This condition is carried forward with the current request.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The subject outparcel site has been graded in conjunction with the adjacent commercial development. The site appears to have no development constraints. See comments above regarding stormwater management.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3343	GB-S site plan amendment for Banking and Financial Services	Approved 11-6-2017	Subject property	.87	Approval	Denial
W-3266	GO-S, GB-S, and RM12-S to GB-S, GB-L, and LO-L	Approved 7-20-2015	Included current site	27.23	Approval	Approval

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Silas Creek Parkway	Expressway	238'	27,000	49,000
Proposed Access Point(s)	The subject property will utilize the existing access points approved as part of W-3266. No new access points are included with this request.			
Trip Generation - Existing/Proposed	<u>Approved Use: Banking and Financial Services</u> 3,321sf / 1,000 x 148.15 (Drive In Bank Trip Rate) = 492 Trips per Day <u>Proposed Use: Motor Vehicle, Repair and Maintenance</u> 6,300 sf / 1,000 x 15.86 (Automotive Care Center Trip Rate) = 100 Trips per Day			
Sidewalks	There are no sidewalks along Silas Creek Parkway.			
Transit	Routes 88, 99, and 109 run along Reynolda Road located approximately one half mile to the southwest.			
Connectivity	The subject outparcel site has common access with the remainder of the adjacent commercial development.			
Transportation Impact Analysis (TIA)	In 2015, a Traffic Assessment was submitted in conjunction with the larger 27.23 acre rezoning which included the subject property (W-3266). Recently completed improvements along Silas Creek Parkway and Fairlawn Drive were tied to the issuance of a driveway permit.			
Analysis of Site Access and Transportation Information	The proposed site plan does not change the approved access points or internal circulation. It is projected that the proposed use of Motor Vehicle, Repair and Maintenance will generate significantly less traffic than the previously approved bank with a drive through. Silas Creek Parkway also has additional capacity.			
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS				
Building Square Footage	Square Footage	Placement on Site		
	6,300	Central portion of the site		
Parking	Required	Proposed		
	18 spaces	21 spaces		
Building Height	Maximum	Proposed		
	60'	One story		
Impervious Coverage	Maximum	Proposed		
	NA	54.02%		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.3 (J) General Business District 			
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy 2030 policies:	Yes		
	(B) Environmental Ord.	NA		
	(C) Subdivision Regulations	NA		
Analysis of Site Plan Compliance	The proposed site plan accommodates a 6,300 square foot auto repair facility which will have seven bays. The proposal maintains the 15' wide			

with UDO Requirements	Type III bufferyard which separates the site from the adjacent residentially zoned property and adds a row of evergreen plantings as well. The proposed impervious coverage is less than the coverage on the approved plan.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 3 - Suburban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Encourage convenient services at designated areas to support neighborhoods consistent with the Growth Management Plan. • Increase infill development in the serviceable land area.
Relevant Area Plan(s)	<i>North Suburban Area Plan Update (2014)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The proposed land use for the subject property is office use. • The plan recommends the consolidation of office and commercial uses at existing commercial/office locations. All new and redeveloped commercial and office uses should be designed and developed to be compatible with nearby residential uses. • The subject property is located across Silas Creek Parkway from the Silas Creek Parkway and Fairlawn Drive Area mixed-use area.
Site Located Along Growth Corridor?	The site is located along the Silas Creek Parkway Growth Corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?
	Yes, after the area plan was approved, the subject property was rezoned as part of a larger 27.23 acre development (W-3266). The office recommendation of the area plan was based upon the prior GO-S zoning of the subject property.
	(R)(4) - Is the requested action in conformance with Legacy 2030?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The subject request is a site plan amendment to replace the previously approved Banking and Financial Services use with a Motor Vehicle, Repair and Maintenance use within a GB-S zoned shopping center.</p> <p>The site is located at the northwest quadrant of Silas Creek Parkway and Fairlawn Drive and is a portion of a larger 27.23 acre site approved in 2015 (W-3266). While Motor Vehicle, Repair and Maintenance is an approved use within the overall said zoning lot, Planning staff notes that the proposed seven bay auto maintenance building may not be as aesthetically pleasing as the approved bank. However, in working with staff, the developer has agreed to enhance their initially submitted building elevations to be more comparable with the adjacent recently</p>

completed grocery store.

During the hearing process for the approved site plan (W-3343) public concern was expressed regarding off-site stormwater management. In response, the City Council included additional condition language which requires the developer to improve the existing westernmost pond on the Crowne Apartments site located directly west of the subject property. These conditions (which also obligate the developer to maintain said off-site stormwater facility) are carried forward with this request.

The site plan also includes an additional row of evergreen plantings along with the approved 15' Type III bufferyard along the western and northern property lines. The originally approved conditions regarding site lighting, signage and common landscaping are also carried forward. Staff recommends approval.

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The request would accommodate additional service opportunities within this approved commercial development.	The proposed building elevations may not add as much value to the streetscape as those for the approved banking use.
The proposed access points onto Silas Creek Parkway and Fairlawn Drive will not change.	
The previously approved conditions regarding stormwater management, lighting and common landscaping will remain in place.	
The proposed use will generate less traffic than the approved use.	

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.
- **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. The brick color of the exterior walls shall be consistent with the brick color of the adjacent LIDL store.
 - 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. Developer shall select a fixture that will be used throughout all the subject property.

- c. Cross access easements to PIN 6817-83-4588 shall be recorded.
- d. All rooftop HVAC equipment located on the subject property shall be completely screened from view along all public streets.

• **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 voluntarily agrees to retrofit the existing off-site “Pond 1” to current water quality and quantity standards in accordance with sections 75-301-75-305 of the Winston-Salem Code of Ordinances. The retrofitted Pond 1 shall be designed to treat stormwater from all of former Tract 8, (as depicted on the site plan), which is approximately 5.8 acres. (Pond 1 is the westernmost Pond on the Crowne Apartments site).
- d. Developer further agrees to obtain the necessary permanent easements for himself, for subsequent transferees of the former Tract 8 property (as depicted on the site plan), and for the City to enter upon the property, located at 100 Crowne Park Drive (PIN# 6817-84-3029), for the purposes of access, inspection, maintenance, repair and reconstruction.
- e. The developer and/or subsequent transferees within former Tract 8 (as depicted on the site plan) will maintain the stormwater pond and will enter into an operation and maintenance agreement acceptable to the City Attorney’s Office. All easements and maintenance requirements shall be assumed by subsequent transferees. Nothing in these conditions shall obligate the City to inspect, maintain, repair, or reconstruct Pond 1.

• **OTHER REQUIREMENTS:**

- a. Freestanding signage shall be limited to one (1) monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet. Freestanding signage for the subject property shall be constructed of the same material as the signage on PIN 6817-83-4588. The monument sign shall consist of a brick base with a brick cap or precast cap.
- b. Streetyard plantings for the entire subject property shall consist of Shumard Oaks (*Quercus shumardi*) or comparable variety for the trees and Carissa Holly (*Ilex cornuta* ‘Carissa’) or comparable variety for the shrubs which shall be the primary plant materials. Additional trees and shrubs may be used to supplement the required species listed above. In addition, a staggered double row of shrubs shall be provided within the required streetyard.
- c. The property shall be subject to the time restrictions governing the operation of front-end loaders for refuse collection, as set forth in Section 46-5(a)(1) of the Code of Ordinances.

- d. If Pond 1 ceases to be used to provide drainage, per the requirements in Chapter 75, to all of former Tract 8, the developer or subsequent owners shall provide alternate stormwater management for former Tract 8 (as depicted on the site plan) in another location consistent with the above mentioned standards.

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-3393
DECEMBER 13, 2018**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

SECOND: Jason Grubbs

VOTE:

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

AGAINST: George Bryan

EXCUSED: None

Aaron King
Director of Planning and Development Services