

**CITY-COUNTY PLANNING BOARD
DRAFT STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3352		
Staff	Gary Roberts, Jr. AICP		
Petitioner(s)	Kingswood United Methodist Church		
Owner(s)	Same		
Subject Property	PIN# 6819-83-4019		
Address	No address has been assigned to the subject property which is undeveloped.		
Type of Request	Special use rezoning from LI to GI-S		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial) to GI-S (General Industrial – special use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Borrow Site; and Dirt Storage 		
Neighborhood Contact/Meeting	See Attachment B for a summary of the petitioner’s neighborhood outreach.		
Zoning District Purpose Statement	<p>The GI District is primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities. The district is established for the purpose of designating appropriate locations and establishing development regulations for uses which may have significant environmental impacts or which require special measures to ensure compatibility with adjoining properties. The district is established to provide locations for major developments in GMAs 1, 2 and 3.</p>		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is currently zoned LI and it is adjacent to another GI-S zoned property. The site is located in a sparsely populated area adjacent to US 52, an electrical transmission line, and a railroad within the Suburban Neighborhoods GMA.</p>		
GENERAL SITE INFORMATION			
Location	North side of Ziglar Road, west of U.S. 52		
Jurisdiction	City of Winston-Salem		
Ward(s)	Northeast		
Site Acreage	± 27.6 acres		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS9	Undeveloped property
	East	LI	US 52, Norfolk Southern railroad, and Barringer Distribution
	South	GI-S	Undeveloped property and a sanitary landfill
	West	LI	128’ wide Duke Energy easement and undeveloped

			property			
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 request is for two uses which are compatible with the uses permitted on the adjacent LI and GI-S zoned properties. These uses are less compatible with the low density residential uses permitted on the adjacent RS9 zoned property to the north.					
Physical Characteristics	The site is bordered and traversed by Grassy Creek along the southern and southwestern edge of the site. Some of this area is within the regulatory 100 year floodplain. The site is partially wooded and partially cleared and it has a steep slope downward toward the southwest.					
Proximity to Water and Sewer	The site has access to public water and sewer.					
Stormwater/ Drainage	A stormwater study will be required if new impervious coverage exceeds 10,000 square feet.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The southern and southwestern borders of the site are impacted by Grassy Creek, a gas easement, and a sewer easement. The site also includes some relatively steep slopes. However, the proposed site plan and associated earth moving activity appear to adequately take into account these constraints.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3092	LI to GI-S	Approved 3-7-11	Directly south	35.8	Approval	Approval
W-2295	RS9, LI, LI-S, & GI to GI-S	Approved 6-7-99	South across Ziglar Road	231.33	Approval	Tract 1- Denial Tract 2 – Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name		Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
Ziglar Road		Minor Thoroughfare	220’	1,900	15,300	
Proposed Access Point(s)		The site has access onto Ziglar Road; however, the site plan shows the primary access will be from the adjacent GI-S zoned site located directly to the south.				
Trip Generation - Existing/Proposed		<u>Existing Zoning: LI</u> No trip rate is available for the existing zoning which has no site plan. <u>Proposed Zoning: GI-S</u> No trip generation is available for the proposed uses of Borrow Site or Dirt Storage. Staff would anticipate the trip generation to be comparable				

	to the GI-S zoned site to the south.	
Sidewalks	There are no sidewalks located in the general area.	
Transit	Route 97 serves Hanes Mill Road located approximately one mile to the southeast.	
Connectivity	The site will have access from the adjacent site located directly to the south.	
Analysis of Site Access and Transportation Information	The site has frontage along a minor thoroughfare which has ample capacity. However, the proposed access will be from the adjacent GI-S zoned site located directly to the south. Although there is no trip generation available for the proposed uses, staff does not foresee any transportation related issues associated with this request.	
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS		
Building Square Footage	No buildings are proposed on the subject property.	
Parking	Required	Proposed
	2 spaces	2 spaces
Impervious Coverage	Maximum	Proposed
	100%	99%
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none">Chapter B, Article II, Section 2-1.4 (C) General Industrial DistrictChapter B, Article II, Section 2-5.11 Borrow Site Use ConditionsChapter B, Article II, Section 2-5.27 Dirt Storage Use Conditions	
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 with UDO Requirements	The proposed site plan would accommodate earth moving activity in support of the nearby sanitary landfill. While the plan shows a large mound of dirt to be stored in the center of the site, there will be times when soil is taken from the site so the topography will be in flux. There will be no buildings constructed on the site. The proposed access will be internal from the adjacent site to the south. Because that site is zoned GI-S (W-3092) a Staff Change for that approved site plan will be needed in order to formalize this internal connection.	
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 reuse of vacant and underutilized commercial and industrial sites.Recognize the scarcity of good industrial land and promote the wisest economic use of those limited resources to generate needed jobs and create wealth for our community.	

Relevant Area Plan(s)	<i>North Suburban Area Plan Update</i> (2014)
Area Plan Recommendations	<ul style="list-style-type: none"> • The subject property is shown on Map 6-Proposed Land Use for industrial use. • With access to US 52 and the Norfolk Southern rail line, there are several areas suitable for industrial land use in the planning area. One location is the area between the west side of US 52 and Ziglar Road (this includes the subject property).
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Greenway Plan Information	The Grassy Fork Greenway is listed as an “Other Proposed Greenway” in the Greenway Plan Update.
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?
	No
	(R)(4) - Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The subject request is to rezone 27.6 acres of undeveloped property from LI to GI-S for the two uses of Borrow Site and Dirt Storage. The site is located across Ziglar Road from the Hanes Mill Road Sanitary Landfill. The subject property will receive soil from said sanitary landfill and in turn, the soils located on the subject property would be used in said landfill’s liner and cap construction. This helps to ensure that the community’s landfill has the proper environmental controls to prevent groundwater contamination and reduce greenhouse gas emissions. Obtaining soil for the sanitary landfill from a nearby location reduces cost and vehicle emissions related to hauling soils from a remote site. <u>The subject property would not receive trash or be used as a sanitary landfill.</u></p> <p>The request is consistent with the <i>North Suburban Area Plan Update</i>, which recommends industrial zoning for the subject property. Staff positively notes the relatively isolated location of the subject property while still being in close proximity to the nearby sanitary landfill. The request would also not preclude future redevelopment of the site for a variety of other uses once the proposed earth moving activities are completed in the future. Future uses of the site would be dependent upon a future rezoning and not limited by the proposed uses. Staff supports the request.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request will allow for the nearby sanitary landfill to receive fill dirt from a close location.	The request would intensify the industrial zoning adjacent to RS9 zoned property.
The request is consistent with the <i>North Suburban Area Plan Update</i> .	
When compared to more permanent residential or industrial developments, it is anticipated that the proposed uses will generate less traffic.	
This use does not prevent future uses of the land once the borrow activity ceases.	
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.	
<ul style="list-style-type: none">• <u>PRIOR TO THE ISSUANCE OF ANY PERMITS</u><ul style="list-style-type: none">a. Developer shall obtain all necessary permits from the NCDEQ and DEMLR.• <u>PRIOR TO THE ISSUANCE OF GRADING PERMITS</u><ul style="list-style-type: none">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 cordon off all areas shown on the site plan as stream buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO 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.**

CITY-COUNTY PLANNING BOARD PUBLIC HEARING MINUTES FOR W-3352 NOVEMBER 9, 2017

Aaron King presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

A Board member asked about the location of the access point onto Ziglar Road.

Staff responded that the access point would have to remain in its current location. The only way for the access to be moved would be through the site plan amendment process.

A Board member asked for further clarification regarding erosion control and stream protection.

Keith Huff from Stormwater responded that perimeter measures will be required for erosion control and to ensure that sediment will be prevented from entering the adjacent stream.

Michael Plummer, 440 S Church Street, Suite 900 & 1000, Charlotte, NC 28202-2075

- I am with HDR Engineering and to answer your question, we have shown those as potentials, we have not done the complete design. We would be required to permit through the state land quality department. So we would have to do the full blown calculations, determine the drainage areas and the size the basin appropriate for that. Once we are done with the site, we would have the ability to decommission those basins but the state would be involved in coming in and assessing it and making sure they are ok with us decommissioning the basin.

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: Chris Leak

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP

Director of Planning and Development Services