



DOCKET #: W2648

PROPOSED ZONING:
 GB-S (Outdoor Display
 Retail; Car Wash; Motor
 Vehicle, Repair
 and Maintenance)

EXISTING ZONING:
 GB and RS9

PETITIONER:
 Flow 1400 South Stratford,
 LLC, and Wesley Bailey, Trustee

SCALE: 1" represents 200'

STAFF: Hall

GMA: 3

ACRE(S): 1.7

MAP(S): 612846



September 24, 2003

Flow 1400 South Stratford, LLC and
Wesley Bailey, Trustee
1400 South Stratford Road
Winston-Salem, NC 27103

RE: ZONING MAP AMENDMENT W-2648

Dear Mr. Bailey:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary's Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, AICP
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102
Steve Causey, Allied Design, 4720 Kester Mill Road, Winston-Salem, NC 27103
Don Speight, 1425 Plaza Drive, Winston-Salem, NC 27103
Win Craft, 3236 Arlington Drive, Winston-Salem, NC 27103
Frances Foltz, 3235 Old Vineyard Road, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: September 24, 2003
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Flow 1400 South Stratford, LLC and Wesley Bailey, Trustee

SUMMARY OF INFORMATION:

Zoning map amendment of Flow 1400 South Stratford, LLC and Wesley Bailey, Trustee from RS-9 and GB to GB-S (Outdoor Display Retail): property is located on the west side of Stratford Road between Emory Drive and Old Vineyard Road (Zoning Docket W-2648).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Flow 1400 South Stratford,
LLC and Wesley Bailey, Trustee, Docket W-2648

AN ORDINANCE AMENDING THE
WINSTON-SALEM CITY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF
THE CITY OF WINSTON-SALEM, N.C.

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from GB and RS-9 to GB-S (Outdoor Display Retail) the zoning classification of the following described property:

Tax Block 2322, Tax Lots 38, 39, 40, 41, 42, 43, 44B, 45B, 46B, 47, 48, 49, 50, 51, and 52

Section 2. This Ordinance is adopted after approval of the site plan entitled Flow 1400 South Stratford, LLC and Wesley Bailey, Trustee and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, to Flow 1400 South Stratford, LLC and Wesley Bailey, Trustee.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Flow 1400 South Stratford, LLC and Wesley Bailey, Trustee. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Flow 1400 South Stratford, LLC and Wesley Bailey, Trustee, (Zoning Docket W-2648). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for GB-S (Outdoor Display Retail), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the GB-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
 - a. 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.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
 - a. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Existing billboard shall be removed.
 - b. All required fire hydrants shall be installed in accordance with the City Fire Department.

- **OTHER REQUIREMENTS**
 - a. One freestanding ground sign shall be permitted. Said sign shall be limited to a monument type with a maximum height of 5 feet.
 - b. Install sidewalk as volunteered by the petitioner and illustrated on the site plan.
 - c. All lighting higher than 12 feet shall be of the shoebox type or otherwise shielded not to cast direct light onto adjacent residential properties.

ZONING STAFF REPORT

DOCKET # W-2648
STAFF: S. Chad Hall

Petitioner(s): Flow 1400 South Stratford, LLC and Wesley Bailey, Trustee
Ownership: Same

REQUEST

From: GB General Business District and RS-9 Residential Single Family District;
minimum lot size 9,000 sf
To: GB-S General Business District (Outdoor Display, Retail; Car Wash; Motor
Vehicle, Repair and Maintenance)

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

Acreage: 1.54 acres

LOCATION:

Street: West side of Stratford Road between Emory Drive and Old Vineyard Road.
Jurisdiction: City of Winston-Salem.
Ward: Southwest.

SITE PLAN

Proposed Use: Outdoor Display, Retail.
Square Footage: 9,000 square feet (sf).
Building Height: 60' max.
Parking: Required: 18; proposed: 18 (plus 54 display spaces).
Bufferyard Requirements: Type IV against RS-9.
Vehicular Use Landscaping Standards Requirements: UDO standards shall apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: A vacant service station exists on site within the GB portion; structure is to be replaced for vehicle sales office/showroom. Three homes within the RS-9 zoning are to be removed.

Adjacent Uses:

Northeast - Fast food restaurants zoned GB.
East - Duke Power Substation.
Southwest - Existing Flow Motor car sales zoned GB.
West - Existing residential zoned RS-9.
Northwest - Existing residential zoned RS-9.

GENERAL AREA

Character/Maintenance: Stratford Road is lined with many business and retail commercial uses that have developed in a sprawling manner over many years.

Development Pace: Moderate.

HISTORY

Relevant Zoning Cases:

1. W-2444; RS-9 to GO-S (Medical and Surgical Offices; Professional Office; and Offices, Miscellaneous); approved January 2, 2001; northwest side of Westbrook Plaza Drive east of Westgate Center Drive; 2.25 acres; Planning Board and staff recommended approval.
2. W-2360; RS-9 to GO-S (Banking & Financial Services and Professional Offices) approved January 3, 2000; northwest side of Westbrook Plaza Drive, west of Stratford Road; 10.03 acres; Planning Board and staff recommended approval.
3. W-2221; RS-7 to PB; approved June 1, 1998; northeast side of Executive Park Boulevard between Harvey Street and Thurston Street; 1.05 acres; Planning Board and staff recommended approval.
4. W-2030; RMU-S to GO-S (Medical and Surgical Office; Health Services, Miscellaneous; Professional Office; Hospital or Health Center; Child Day Care Center; and Banking and Financial Services – TWO PHASE); approved January 2, 1996; north side of Vest Mill Road between Westbrook Plaza Drive and Westgate Center Drive; 9.56 acres; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Existing vacant convenience store to be removed.

Topography: The subject property experiences an elevation change from about 878 feet in the northwestern section of the site down to about 863 feet in the southeastern section of the site.

Streams: There are no streams on or near the subject property.

Vegetation/habitat: A small amount of vegetation exists on the site to the east of the structure in the southwestern section of the site.

Water Supply Watershed: The subject property is not located in a water supply watershed.

TRANSPORTATION

Direct Access to Site: Old Vineyard Road; Arlington Drive; Stratford Road

Street Classification: Old Vineyard Road – Local Street; Arlington Drive – Local Street; Stratford Road – Major Thoroughfare.

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

Stratford Road between Silas Creek and Old Vineyard Road = 39,000/29,700

Trip Generation/Existing Zoning: GB and RS-9

GB use is currently vacant

RS9 - $0.77 \times 43,560/9,000 = 3 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 28 \text{ Trips per Day}$

Trip Generation/Proposed Zoning: GB-S

$9,000/1,000 \times 37.50 \text{ (New Car Sales)} = 337 \text{ Trips per Day}$

Planned Road Improvements: Stratford Road from Silas Creek to I-40 from 5 lanes to 6 lanes divided (Year 2020).

Sight Distance: Good.

Traffic Impact Study recommended: No.

Sidewalks: None existing; proposed along Stratford Road along a large portion of the subject property continuing to Healy Drive.

Transit: Route 43 along Stratford Road.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): In its Building Better Neighborhoods chapter, *Legacy* recommends that existing neighborhoods be preserved and revitalized to become more pedestrian-friendly, provide needed services, and promote a strong sense of community pride. In addition *Legacy* says that residential areas should be protected from inappropriate commercial and industrial encroachment. Also the Community Character Chapter addresses the importance of attractive streets with sidewalks and street trees at this gateway location off Silas Creek Parkway.

Area Plan/Development Guide: *South Stratford Road Development Guide* (adopted in 1989)

Relevant Development Guide Recommendation(s): The subject property is both commercial and residential. The *South Stratford Road Development Guide* recommends that respective areas (commercial and residential) remain as they existed when the plan was adopted (i.e., the plan recommends against converting the residential property along Old Vineyard Road into commercial uses).

ANALYSIS

The current request is to rezone 1.54 acres from GB and RS-9 to GB-S (Outdoor Display, Retail; Car Wash; Motor Vehicle, Repair and Maintenance). The site is located on the west side of Stratford Road between Arlington Drive and Old Vineyard Road. Developed properties surrounding the subject property to the north and west consist primarily of RS-9 zoning. To the east and south exists various developed commercial properties zoned GB. All of the land zoned GB to the south of the subject property, between Old Vineyard Road and Healy Drive, is the current site of Flow Automotive.

The proposed site plan illustrates the demolition of an existing commercial structure on site to make way for a 9,000 square feet (sf) vehicle sales office and showroom. Additionally, three existing residential dwellings will be either demolished or moved to permit the desired development.

Stratford Road is already well over capacity in this area by nearly 10,000 vehicles per day. Healy Drive also has its own congestion issues. Arlington Drive can be accessed from the Silas Creek Parkway ramp, but anyone traveling southbound on Stratford Road must access the neighborhood to the west of the subject property by Old Vineyard Road and/or from Healy Drive via Plaza West Road. Old Vineyard Road access to/from Stratford Road is right-in/right-out only, creating an existing limited access condition.

Access to the subject property is proposed from two locations, one being on Arlington Drive and the other being on Old Vineyard Road. No access to the subject property is proposed from Stratford Road. This should help facilitate traffic flow along Stratford Road. To help facilitate pedestrian flow, a sidewalk is being volunteered by the petitioner along Arlington Drive and along Stratford Road. Additionally, the petitioner is voluntarily proposing a sidewalk from the subject property to Healy Drive.

Staff supports this use along Stratford Road, but has some reservation of extending the depth of commercial use another tier into the neighborhood. Typically, a district such as Neighborhood Office (NO) is utilized as a transition zone between higher intensity uses and residential areas. In the case of this request, with the elimination of existing dwellings units, a higher intensity use will be developed adjacent to existing residential. However, staff also concedes that the viability of the dwellings to be removed from the site is in question “as is future use...” as either dwellings or offices. The proximity to the ramp from Silas Creek Parkway and the volumes of traffic and associated noise and light pollution make these homes less desirable as dwellings. Due to the limited access options, office use is questionable from a market standpoint.

If this request is approved, staff recommends setting a clear line of demarcation to prevent the further commercial erosion of this neighborhood. By way of an adequate buffer and possibly even by grade change and/or a fence addition as well, this line should distinctly differentiate the commercial zone from the residential zone. In doing so, staff would also suggest that even neighborhood office should not creep into the neighborhood an additional tier.

Additionally, to further protect the remaining existing residential dwellings, lighting should be minimized in both height and projection angles to prevent light pollution onto surrounding properties. In order to coordinate this with the aforementioned clear line of demarcation, a buffer above and beyond the normal width and/or number of plantings and type of plantings is recommended to ensure that light pollution be minimized. The site plan illustrates an ample buffer with a fence that mitigates the aforementioned concerns. Staff has recommended that a representative cross-section of the proposed buffer be shown to help illustrate its effectiveness in mitigating the commercial impacts of the site.

It could be envisioned that this site, as well as those to the northeast, could serve as a “gateway” to Stratford Road. The image of Stratford Road is not one that most consider to be pleasant. The proliferation of parking lots, high signage, and utility poles coupled with the absence of “green” has made Stratford Road unattractive. Recent attempts to rectify the appearance of this area include the 2002 Community Roots Day plantings all along the east side of Stratford Road from Hanes Mall to Thruway Shopping Center.

To expand the efforts of those volunteers and to further display pride in our roadways, which is a charge of *Legacy* within the Community Character section (Community Image, Objective 2: Attractive Roadways, page 129), staff applauds the additional attention paid in the site plan to the streetyard along the road frontages of this property. While the typical streetyard does help to soften the impact of vehicles within a parking area, those minimum standards have been expanded upon in order to aid in the creation an aesthetically pleasing gateway treatment. Additionally, the site plan calls for the removal of the existing billboard on site, further improving the aesthetics of the area. Freestanding signage for the dealership should be limited to one monument sign with a maximum of five foot (5') in height. This is a typical condition for special use rezoning requests, regardless of use(s), and will further the efforts of creating a gateway treatment at this location.

In summary, Planning staff is comfortable with this proposed use at this location. The site plan considerations address staff concerns by going beyond the minimum requirements for both buffer and street yards to improve the aesthetics of the area while establishing limits of commercial activity to the west. The first installation of sidewalks in this area of Stratford Road is a positive asset that, hopefully, will set a precedent for other sidewalk installations along this corridor.

FINDINGS

1. Three existing residential dwellings and an existing commercial structure will be either demolished or moved.
2. Access to the subject property will be from Arlington Drive and Old Vineyard Road.
3. A sidewalk is proposed from Arlington Drive along Stratford Road to Healy Drive.
4. To set a clear line of demarcation to prevent the further commercial erosion of the neighborhood to the west, an ample buffer with fence is being provided.
5. The minimum streetyard standards have been expanded upon in order to aid in the creation of an aesthetically pleasing gateway treatment for this area.
6. The site plan calls for the removal of an existing billboard from the subject property.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

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

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
 - a. 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.

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Chad Hall presented the staff report.

PUBLIC HEARING

FOR:

Steve Causey, Allied Design, 4720 Kester Mill Road, Winston-Salem, NC 27103

We have worked hard on this plan.

We have tried to address the concerns and made concessions.

Don Speight, 1425 Plaza Drive, Winston-Salem, NC 27103

We worked with the neighborhood.

Submitted a letter from the neighborhood association supporting the request.

There was significant opposition, but we have worked hard to address the concerns.

We feel this proposal is better than the existing situation.

This site will just be used for sales, not for service.

We have made it clear to all our employees that testing of vehicles on Old Vineyard Road or Arlington Drive will result in dismissal. They are strongly prohibited from testing on these neighborhood streets.

Win Craft, 3236 Arlington Drive, Winston-Salem, NC 27103

I represent the neighborhood association.

Submitted letter of support from neighborhood association.

We've worked really closely with Mr. Speight and Mr. Flow to work through some of the neighborhood differences.

We don't represent every resident in that neighborhood, but we do represent the majority.

There are people who still have some concerns, but the majority of the neighborhood is in support of this request.

The biggest concerns have been the traffic situation in there. I think that is a City problem, not Flow's problem to fix.

I think Flow has done everything they can to make this a nicer situation for us.

We would love this much more than we would love a convenience store up there.

I think this is going to be a good thing for our neighborhood.

Mr. Flow will continue to work with us to ensure it's a good thing for the neighborhood.

AGAINST:

Frances Foltz, 3235 Old Vineyard Road, Winston-Salem, NC 27103

There are a lot of renters on this street who don't care about the neighborhood. But some of us do. This is our neighborhood and we hate to see houses moved.

The traffic is bad already.

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. This use will generate much less traffic than a convenience store.
2. There is a median on Stratford Road which prevents northbound traffic on Stratford Road from turning left into this site. That traffic either turns left further south onto Healy Drive or proceeds north on Stratford Road until they can turn around and come back to make a right turn into this site.
3. The existing structure is a hazard.

MOTION: Philip Doyle moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Dara Folan

VOTE:

FOR: Bost, Clark, Doyle, Eickmeyer, Folan, King, Lambe, Norwood

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning