



DOCKET #: W2561

PROPOSED ZONING:
 LB-S (Motor Vehicle, Rental and Leasing; Professional Office; Offices, Miscellaneous; Medical and Surgical Office)

EXISTING ZONING:
 RS9 and GO-S

PETITIONER:
 Denson G. Hauser, Jr.

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 0.8

MAP(S): 612846



July 24, 2002

Denson G. Hauser, Jr.
633 Lantern Ridge Drive
Winston-Salem, NC 27104

RE: ZONING MAP AMENDMENT W-2561

Dear Mr. Hauser:

The attached report of the Planning Board to the Board of Aldermen is sent to you at the request of the Aldermen. You will be notified by the City Secretary's Office of the date on which the Aldermen 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
Don Troutman, Hauser Rental Service, 1511 S. Stratford Road, Winston-Salem, NC 27103
Don Williams, P. O. Box 16, Kernersville, NC 27284
Bowen Houff, P. O. Drawer 25008, Winston-Salem, NC 27114
Torri Plemmons, 1488 Cedar Fork Road, Clemmons, NC 27012

ACTION REQUEST FORM

DATE: July 24, 2002
TO: The Honorable Mayor and Board of Aldermen
FROM: A. Paul Norby, AICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Denson G. Hauser, Jr.

SUMMARY OF INFORMATION:

Zoning map amendment of Denson G. Hauser, Jr. from RS-9 and GO-S to LB-S (Motor Vehicle, Rental and Leasing; Professional Office; Offices, Miscellaneous; and Medical and Surgical Office): property is located on the west side of Genia Drive south of Vest Mill Road (Zoning Docket W-2561).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Denson G. Hauser, Jr., Docket W-2561

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 Board of Aldermen 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 RS-9 and GO-S (Offices, Miscellaneous; Professional Office; and Banking and Financial Services) to LB-S (Motor Vehicle, Rental and Leasing; Professional Office; Offices, Miscellaneous; and Medical and Surgical Offices) the zoning classification of the following described property:

Tax Block 3826, Tax Lots 16 and 17

Section 2. This Ordinance is adopted after approval of the site plan entitled Denson G. Hauser, Jr. and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to Denson G. Hauser, Jr.

Section 3. The Board of Aldermen 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 Denson G. Hauser, Jr. 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 Board of Aldermen

of the City of Winston-Salem

The Board of Aldermen 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 Denson G. Hauser, Jr., (Zoning Docket W-2561). 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 LB-S (Motor Vehicle, Rental and Leasing; Professional Office; Offices, Miscellaneous; and Medical and Surgical Office), approved by the Winston-Salem Board of Aldermen the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the LB-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:

C OTHER REQUIREMENTS

- a. Signage shall be limited to only one (1) freestanding monument sign limited to a maximum height of five (5) feet and a maximum copy area of thirty six (36) square feet.
- b. Streetyard and bufferyard trees shall be of a large variety as defined in UDO Section 3-4.10.

ZONING STAFF REPORT

DOCKET # W-2561
STAFF: Gary Roberts

Petitioner(s): Denson G. Hauser, Jr.
Ownership: Same

REQUEST

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf and GO-S General Office District (Offices, Miscellaneous; Professional Office; and Banking and Financial Services)
To: LB-S Limited Business District (Motor Vehicle, Rental and Leasing; Professional Office; Offices, Miscellaneous; and Medical and Surgical Office)

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

Acreage: 0.80 acre

LOCATION

Street: West side of Genia Drive.
Jurisdiction: City of Winston-Salem.
Ward: Southwest.

SITE PLAN

Proposed Use: Motor vehicle rental and offices.
Square Footage: 1,848 square feet total in two buildings.
Building Height: One story.
Parking: Required: 18 spaces; proposed: 18 spaces.
Bufferyard Requirements: Type II bufferyard adjacent to RS-9.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Two single family residences.
Adjacent Uses:
North - Multiple offices zoned GO.
Northeast - Pfaff's Home Service Center zoned GB.
East - Hauser Rental Company zoned GB.

South - Single family residential zoned RS-9 and GO-S (Allegacy Credit Union).
West - Undeveloped property zoned RS-9.

GENERAL AREA

Character/Maintenance: Mixture of large and small scale office and retail uses in good maintenance.
Development Pace: Moderate to rapid.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Some clearing and grading in rear yard to accommodate future vehicular parking.

Topography: Gentle slope downward to the west.

Vegetation/habitat: Lawn and trees on two residential lots.

Water Supply Watershed? Site is not within the boundaries of a water supply watershed.

TRANSPORTATION

Direct Access to Site: Vest Mill Road; Genia Drive.

Street Classification: Vest Mill Road - collector road; Genia Drive - local road.

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

Trip Generation/Existing Zoning: RS-9 & GO-S

RS-9 = 1 unit x 9.57 (SFR Trip Rate) = 9 Trips per Day +

GO-S = 930 sf/1,000 x 11.01 (General Office Trip Rate) = 10 Trips per Day = 19 Trips Total

Trip Generation/Proposed Zoning: LB-S

930 + 918 sf = 1,848/1,000 x 36.13 (Medical/Dental Office Trip Rate) = 66 Trips per Day

Planned Road Improvements: City will study intersection improvements at intersection of Genia Drive and Vest Mill Road.

Sight Distance: Poor visibility at intersection of Genia Drive and Vest Mill Road.

Sidewalks: None.

Transit: Route 19 along Stratford Road.

HISTORY

Relevant Zoning Cases:

1. W-2360; RS-9 to GO-S (Banking and Financial Services; and Professional Office); approved January 3, 2000; northwest side of Westbrook Plaza Drive, west of Stratford Road, 150 feet south of current site; 10.01 acres; Planning Board and staff recommended approval.
2. W-1049; R-5 to R-1-S (Offices; and Dwelling, Single Family); approved August 1, 1983; south side of Vest Mill Road, east of Fentriss Street, 200 feet west of current site, 4.48 acres; Planning Board and staff recommended approval.

3. W-941; R-5 to R-1-S (Offices); approved May 17, 1982; west side of Genia Drive, south of Vest Mill Road, portion of current site; 0.50 acre; Planning Board and staff recommended approval.
4. W-895; R-5 to B-3; approved October 5, 1981; southeast corner of Genia Drive and Vest Mill Road, across Genia Drive from current site; 1.2 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): *Legacy's* Growth Management Plan designates the area around Hanes Mall as a Metro Activity Center. Further work is needed to identify more precisely the boundaries of this activity center.

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

Relevant Development Guide Recommendation(s): The development guide recommends the site for office uses.

ANALYSIS

The subject request is to rezone a 0.80 acre parcel located on the west side of Genia Drive from GO-S and RS-9 to LB-S. Specifically, the petition would allow for motor vehicle rental and leasing along with multiple office uses. Currently located on the site are two single family residences. The northernmost portion of the property was rezoned from single family residential to R-1-S, (GO-S), for office use in 1982 with Planning Board and staff recommended approval.

The petitioner has been cited by the Inspections Division for parking "Ryder" type trucks on the subject property, hence the request for rezoning to LB-S. The trucks are associated with the Hauser Rental operation which is located to the east directly across Genia Drive from the subject property.

While a portion of the subject property and the small parcels to the immediate south and west are zoned RS-9, an expanded view of the surrounding properties reveal a clear distinction of land uses with Genia Drive/WestBrook Plaza Drive and Vest Mill Road serving as the dividing line. Located on the west side of said streets are numerous new and established office developments including the recently completed ±88,000 square foot Allegacy Federal Credit Union. To the east of said streets and generally oriented to Stratford Road, are multiple commercial and service type operations all zoned either GB, GB-S or HB-S. This development pattern has occurred in a manner consistent with the *South Stratford Road Development Guide* since its adoption in 1989. The plan recommends office uses for the subject property as well as all the remaining properties to the west side of Genia Drive. More intensive commercial uses are recommended to the east. Such adherence to the plan, has, in staff's opinion, increased the degree of predictability for private investment decisions and in turn significantly contributed to the areas attractiveness for large scale, higher quality office development on the west side of Genia Drive and Westbrook Plaza Drive.

If approved, staff sees the current request as setting a precedent for piecemeal commercial development west of Genia Drive/Westbrook Plaza Drive, which is inconsistent with the development guide and which could undermine the trend of higher quality office development in the area.

FINDINGS

1. *Legacy* designates the area around Hanes Mall as a Metro Activity Center.
2. The *South Stratford Road Development Guide* (1989) recommends the subject site to be used for office.
3. The proposed LB-S request would introduce commercial uses on the west side of Genia Drive which are inconsistent with the recommendations of the development guide and incompatible with the development pattern on that side of the street.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

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

C OTHER REQUIREMENTS

- a. Signage shall be limited to only one (1) freestanding monument sign limited to a maximum height of five (5) feet and a maximum copy area of thirty six (36) square feet.
- b. Streetyard and bufferyard trees shall be of a large variety as defined in UDO Section 3-4.10.

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Don Troutman, Hauser Rental Service, 1511 S. Stratford Road, Winston-Salem, NC 27103

We moved our tool division to the Vest Mill location. This is the location where we keep our Ryder vehicles when they are not leased. Ryder vehicles are usually leased Thursday or Friday to Monday or Tuesday.

We've agreed to plant Leyland Cypress along the property line with Mr. Robert Allen to totally block his view. That was his only objection and we feel like we've met his objection.

The additional uses are listed at the suggestion of Planning staff. If we ever looked toward using these buildings for anything except rental, we would probably tear them down and start over.

There are usually four or five vehicles there for a few days a week.

AGAINST:

Don Williams, P. O. Box 16, Kernersville, NC 27284

Building Manager for Mr. Allen.

Mr. Allen is in total disagreement with having the trucks there. When the trucks start up, the fumes come into the lower level of the office building. The rental building looks terrible which doesn't help our office building. There are also a couple of cars up on blocks in front of the building, so it looks like a used car lot. They also have a Rottweiler tied up out there. The buffer is not Mr. Allen's only objection.

Although it is not a frequent traffic generator, the vehicles do come in and out more than just on weekends and they are disruptive.

Bowen Houff, P. O. Drawer 25008, Winston-Salem, NC 27114

Represent Allegacy, one lot away.

The trend in this area is for more office uses.

We believe it is important that the City adhere to development plans, not only to ensure development, but to encourage renewed reliance upon these guides that preserves the integrity of other development plans.

Developers need to be assured that they can invest in planned development with confidence that unexpected and unplanned development doesn't spring up nearby.

The placement of heavy trucks for lease is simply not compatible with these offices.

We have a great deal of concern about traffic patterns here. We're concerned about people trying to turn here in a vehicle with which they are not familiar, on a Monday morning, etc.

Torri Plemmons, 1488 Cedar Fork Road, Clemmons, NC 27012

I represent my mother, Francis Smith, who is the owner of the property at 5370 Alamo Drive.

Thank you for giving us the opportunity to express our concerns.

We've always known this road as Genia Drive. We recently received notice that the address had been changed to 1614 Vest Mill Drive.

Prior to the Allegacy Credit Union being built here, Mr. Hauser would use our property to park his trucks. We asked him several times not to do so.

The rental houses are very tacky. There are numerous rental trucks here, not just a few.

This road is not adequate for the volume of traffic it serves.

WORK SESSION

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

1. Jimmy Norwood noted that we are talking about two things - the house and parking. John Bost clarified that his motion is based on the inappropriateness of the zoning requested for this specific site.

MOTION: John Bost moved denial of the zoning map amendment.

SECOND: Terry Powell

VOTE:

FOR: Avant, Bost, Clark, Doyle, Folan, Kennedy-Sloan, King, Norwood, Powell

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: John Bost certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Philip Doyle

VOTE:

FOR: Avant, Bost, Clark, Doyle, Folan, Kennedy-Sloan, King, Norwood, Powell

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning