



(Continued from the
01-13-00 CCPB MTG.)

DOCKET #: W2366

PROPOSED ZONING:
LB-S (Multiple Business
and Office Uses - TWO PHASE)

EXISTING ZONING:
LO-S

PETITIONER:
Bardan Properties, LLC

SCALE: 1" represents 200'

STAFF: L. Weston

GMA: 3

ACRE(S): 2.09

MAP(S): 606834

ZONING STAFF REPORT

DOCKET # W-2366
STAFF: Larry F. Weston

Petitioner(s): Bardan Properties, LLC
Ownership: Same

CONTINUANCE HISTORY

This petition was initially before the Planning Board at its January 13, 2000, meeting. It was continued to February 10, 2000, to allow time for petitioner to discuss the rezoning request and site plan elements with the adjoining neighborhood, and to consider possible changes in the petition.

REQUEST

From: LO-S Limited Office District (Offices; and Medical, Dental or Related Offices)
To: LB-S Limited Business District (Retail Store, Specialty or Miscellaneous;
Wholesale Trade A; Professional Offices; General Merchandise Store; Medical
and Surgical Offices; Offices, Miscellaneous - TWO PHASE)

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

Acreage: 2.09 acres

LOCATION

Street: Northwest side of South Stratford Road/US 158, across from Westpoint Boulevard.
Jurisdiction: City of Winston-Salem.
Ward: Southwest.

SITE PLAN

Proposed Use: Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Professional Office; General Merchandise Store; Medical and Surgical Offices; Offices, Miscellaneous.

Square Footage: 5,908 square feet in Phase One.

Building Height: One story.

Parking: Parking required: 14 spaces; parking provided: 25 spaces.

Bufferyard Requirements: 15 foot type II bufferyard on north and east sides of site that border residentially zoned property.

Vehicular Use Landscaping Standards Requirements: A 10-foot streetyard is required along South Stratford Road.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: None.

Adjacent Uses:

North - Single family residence zoned RS-9.

East - West Point Business Park.

South - A two story single family residential structure zoned LO-S that has been converted to a medical office.

West - Huntington Woods subdivision.

GENERAL AREA

Character/Maintenance: Stratford Road/US 158 is a heavily traveled road dividing heavy industrial uses in West Point Business Park to the east from less intensive nonresidential uses on the west.

Development Pace: Moderate.

PHYSICAL FEATURES

Topography: The site slopes down moderately towards the north.

Vegetation/habitat: The site is heavily wooded on the northern portion. The Phase One portion has been cleared.

Impact on Existing Features: Minimal until Phase Two.

TRANSPORTATION

Direct Access to Site: South Stratford Road.

Street Classification: Major thoroughfare.

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

South Stratford Road - 14,000/32,200 south of Jonestown Road

South Stratford Road - 15,000/32,200 north of Fraternity Church Road

Trip Generation/Existing Zoning: LO-S - 132 new trips per day

Trip Generation/Proposed Zoning: LB-S (Retail sales)

Examples: Apparel Store - 66.40 (trip rate) \times 5.9 = 392 new trips per day

Planned Road Improvements: None.

Sight Distance: Good.

Transit: None.

Bike Route: None.

HISTORY

Relevant Zoning Cases:

1. W-1857; R-2-S (Dwellings, multifamily) to R-1-S (Offices; and Medical, dental or related offices) -- converted to LO-S under UDO; approved December 20, 1993; current site; 2.09 acres; Planning Board and staff recommended approval.

2. F-1026; R-6 to O-2-S (Medical, dental or related offices); approved April 1992; adjoins southwest side of current site; 0.74 acre; Planning Board and staff recommended approval.
3. F-948; R-6 to R-2-S (Dwellings: Multi-family); denied November 1989; adjoins northeast side of current site; 4.90 acres; Planning Board recommended denial, and staff recommended approval. Planning staff's recommendation was supported by *Vision 2005* and the *South Stratford Road Development Guide*.
4. F-947; R-6 to B-3-S (Stores or shops, retail); denied November 1989; approximately 450 feet northeast of current site; 0.98 acre; Planning Board and staff recommended denial because commercial zoning for this request contradicted *Vision 2005* and the *South Stratford Road Development Guide*.
5. F-892; R-6 to R-2-S (Dwellings: Multi-family); approved July 1988; current site; 2.21 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 3: Urban.

Relevant Comprehensive Plan Recommendation(s): Separation and buffering of commercial, office, and industrial uses from residential areas.

Area Plan/Development Guide: *South Stratford Road Development Guide*.

Relevant Development Guide Recommendation(s): The area plan recommends moderate density residential development for this area.

ANALYSIS

This request is to rezone 2.09 acres from LO-S (Offices; and Medical, Dental or Related Offices) to LB-S (Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Professional Office; General Merchandise Store; Medical and Surgical Offices; Offices, Miscellaneous - TWO PHASE). The site plan indicates development of a 5,908 square foot building on the southern portion of the lot in Phase 1. The previous zoning permitted a three building office complex, with each building being one story and containing approximately 4,000 square feet (total 12,000 square feet).

The *South Stratford Road Development Guide* recommends this area be developed for multifamily residential use. A primary concern of the plan is to discourage the stripping out of South Stratford Road with retail or other business uses. Piecemeal commercial development creates a series of disconnected land uses and diminishes the carrying capacity of South Stratford Road, which represents a substantial investment of public dollars. Approval of the current petition could establish a precedent for additional small retail requests along South Stratford Road.

The plan also encourages some type of transitional use between West Point Business Park and South Stratford Road/US 158 and the single family homes that are one tier west of South

Stratford Road/US 158. The current office zoning was approved although it differed from the development guide, because the transitional use concept was applicable in the case of small scale office development.

The proposed site plan indicates one consolidated driveway on South Stratford Road/US 158 for both phases. Staff commends the petitioner for this consolidation; with 388 feet of road frontage along South Stratford Road/US 158 and only one driveway cut, potential traffic hazards and a "strip" development appearance is discouraged.

In 1989, 4.90 acres adjoining this land, which also is recommended for moderate density residential development in the *South Stratford Road Development Guide*, was denied R-2-S zoning by the Forsyth County Board of Commissioners after substantial neighborhood opposition from the Huntington Woods residents. A co-petition for B-3-S zoning also was denied at the same time. Neighbors requested that the sites in question retain their current zoning and be developed with single family dwellings.

Although there are numerous examples of well-maintained single family development along heavily traveled major thoroughfares (e.g., Reynolda Road, Country Club Road), more intense residential or other uses are often attracted to these corridors. With the objection in 1989 to multifamily or commercial zoning, LO-S zoning offered a good transitional use when the current zoning on the site was approved. In that earlier petition, small scale office was suggested as a good transitional land use for additional properties on the west side of Stratford Road.

FINDINGS

1. The petition is not consistent with *Vision 2005*.
2. The *South Stratford Road Development Guide* recommends medium density residential zoning, as currently zoned, for this land. The intent of the plan is to discourage strip retail development and provide a transitional use for the neighborhood west of Stratford Road.
3. The proposal is for a TWO-PHASE retail complex which could set a precedent for further retail uses and which staff does not consider to be consistent with the intent to establish a transitional land use.
4. LB-S is a retail-oriented zoning district that does not offer the same transition compatibility between commercial zoning and single family residential zoning that the current LO-S zoning provides.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

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.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. A ten (10) foot streetyard landscaping area shall be installed along the entire frontage of the building and parking area on Stratford Road.
 - b. All required storm water management devices shall be installed.

- **OTHER REQUIREMENTS**
 - a. The eastern half of this property is TWO PHASE and requires that a Final Development Plan be approved by the City-County Planning Board prior to the issuance of any permits. The City-County Planning Board reserves the right to add any reasonable conditions on said Final Development Plan(s) in accordance with UDO Section 6-2.2(D)(2)(b).
 - b. No additional driveway will be considered to this site on Stratford Road.
 - c. Sign shall be limited to a five (5) foot monument type with a maximum copy area of thirty-six (36) square feet.

[*For Information Purposes Only*: *Legacy* draft recommendations reinforce the earlier objectives of *Vision 2005* with respect to the protection of existing neighborhoods from inappropriate commercial or industrial encroachment. *Legacy* further recognizes the potential damages caused by nonresidential uses that are introduced into existing neighborhoods at an inappropriate scale.

PUBLIC HEARING - January 13, 2000

FOR: None

AGAINST: None

WORK SESSION

MOTION: Steve Johnson moved to continue the zoning map amendment and site plan until February 10, 2000.

SECOND: James Rousseau

VOTE:

FOR: Avant, Bost, Johnson, Powell, Rousseau, Stewart

AGAINST: None

EXCUSED: None

PUBLIC HEARING - February 10, 2000

FOR: None

AGAINST: None

WORK SESSION

MOTION: Steve Johnson moved withdrawal of the zoning map amendment.

SECOND: Kem Schroeder

VOTE:

FOR: Avant, Bost, Johnson, Powell, Schroeder, Stewart, Williams

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning