DOCKET #: W2746

PROPOSED ZONING: 
PB-S (Services, Personal)

EXISTING ZONING: 
RS-9

PETITIONER: 
La Image, Inc., for property owned by City of Winston-Salem

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRE(S): 0.52

MAP(S): 612842
January 25, 2005

LA Image, Inc.
6000 Meadowbrook Mall, Suite 18
Clemmons, NC  27012

RE:  ZONING MAP AMENDMENT W-2746

Dear Sirs:

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
Stephen G. Calaway, 1330 Ashley Square, Winston-Salem, NC  27103
ACTION REQUEST FORM

DATE: January 25, 2005
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 LA Image Inc. for property owned by the City of Winston-Salem.

SUMMARY OF INFORMATION:

Zoning map amendment of LA Image Inc. for property owned by the City of Winston-Salem from RS-9 to PB-S (Services, Personal): property is located on the southwest corner of Griffith Road and Frontis Street (Zoning Docket W-2746).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
EXCUSED: NORWOOD
SITE PLAN ACTION: CONFORMS
CITY ORDINANCE - SPECIAL USE

Zoning Petition of LA Image Inc. for property
owned by the City of Winston-Salem, Docket W-2746

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 RS-9 to PB-S (Services,
Personal) the zoning classification of the following described property:

Tax Block 2096, Tax Lots 12, 13, and 103A

Section 2. This Ordinance is adopted after approval of the site plan entitled LA Image,
Inc. and identified as Attachment "A" of the Special Use District Permit issued by the City
Council the ______ day of __________________, to LA Image Inc. for property owned by the
City of Winston-Salem.

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 LA Image, Inc. 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 LA Image Inc. for property owned by the City of Winston-Salem, (Zoning Docket W-2746). 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 PB-S (Services, Personal), approved by the Winston-Salem City Council the _____ day of _____________________, 20____" and signed, provided the property is developed in accordance with requirements of the PB-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 BUILDING PERMITS
  a. Developer shall obtain a driveway permit from the City of Winston-Salem.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. Developer shall complete any improvements, as required by the Winston-Salem Department of Transportation.
  b. Trees required within any street yards, bufferyards and motor vehicle parking areas shall be large variety trees as defined in UDO Section 3-4.10, where no conflict occurs with over head utility lines.
  c. Developer shall install a minimum five (5) foot wide sidewalk along the entire frontage of the property along Griffith Road, Frontis Street and Van Buren Street to City of Winston-Salem standards. Exact location of sidewalk along Griffith Road and whether a payment in-lieu option may be exercised to be determined by the Winston-Salem Engineering Division.
  d. Developer shall record a 25 foot wide vehicular cross access easement in the office of the Register of Deeds to allow cross access between adjoining properties as shown on site plan.

• OTHER REQUIREMENTS
  a. Signage shall be limited to one (1) monument sign with a maximum height of six (6) feet.
  b. All on site lighting shall be a maximum of 15 feet tall and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent properties.
ZONING STAFF REPORT

DOCKET #  W-2746
STAFF:    Gary Roberts

Petitioner(s):  LA Image Inc.
Ownership: The City of Winston-Salem

REQUEST

From: RS-9  Single Family Residential District; 9,000 sf minimum lot size
To: PB-S Pedestrian Business District (Services, Personal)

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

Acreage: 0.52 acre

LOCATION:

Street: Southwest corner of Griffith Road and Frontis Street.
Jurisdiction: City of Winston-Salem.
Ward: South.

SITE PLAN

Proposed Use: Tanning salon.
Square Footage: 4,686 sf (includes existing 3,761 sf and proposed additional 925 sf).
Building Height: 40 foot maximum.
Parking: Required: 12 spaces; Proposed: 17 spaces.
Bufferyard Requirements: 15 foot Type II bufferyard adjacent to RS-9.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site:  Structure previously used as the City of Winston-Salem fire station #2.
Adjacent Uses:

  East-    Now vacant site as a result of demolition, being developed with a CVS Drug Store and multiple retail shops zoned GB.
  South-   Single family home zoned RS-9.
  Southwest-  Jimmie’s restaurant zoned LB-S.
  Northwest-  La Quinta hotel zoned GB-S.
GENERAL AREA

Character/Maintenance: Site is located near the southern fringe of a large area of well maintained retail and office development which is principally located off Hanes Mall Boulevard. Existing single family dwellings in the area are moderate to well maintained.
Development Pace: Rapid.

HISTORY

Relevant Zoning Cases:

1. W-2353; RS-9 to LB-S (Multiple Business Uses); approved January 3, 2000; south side of Frontis Street between Stratford Road and Van Buren Street; 3.23 acres; Planning Board recommended denial, staff recommended approval.

2. W-2189; GB and HB-S (Multiple Business Uses) to GB-S [Restaurant (without drive-through service); and Hotel or Motel]; approved November 11, 1997; east side of Stratford Road between Frontis Street and Hanes Mall Boulevard; 4.61 acres; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: This proposal will reuse the existing structure. The initial site plan showed the removal of several larger trees on the subject property. It is anticipated however, said trees will be retained on the revised plan.
Topography: Gentle slope from the southern section of the site down to the northern section of the site.
Streams: None.
Vegetation/habitat: Three mature, Willow Oaks are situated parallel to Frontis Street on the northern side of the site and some other significant trees are located along the southern property line.
Environmental Resources Beyond The Site: This proposal should not create additional impacts to environmental resources beyond the site.
Water Supply Watershed: The subject property is not located in a water supply watershed.

TRANSPORTATION

Direct Access to Site: Frontis Street; Van Buren Street; Griffith Road
Street Classification: Frontis Street – Local Road; Van Buren Street – Local Road; Griffith Road – Minor Thoroughfare
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Griffith Road between Clemmonsville Road and Hanes Mall Boulevard = 5,100/16,100
Trip Generation/Existing Zoning: RS-9
1 unit x 9.57 (SFR Trip Rate) = 9 Trips per Day
Trip Generation/Proposed Zoning: PB-S
No Trip Generation Rate available for tanning salon. Comparable trip rate for Video Rental Store: 4,686,000 x 13.60 = 64 Trips per Day.

Planned Road Improvements: Burke Mill Road Realignment; between Griffith and Stratford Roads; from 2 lanes to 3 lanes; City of W-S bond project – currently not funded.

Traffic Impact Study recommended: No TIS required.

Sidewalks: Existing to the west along Frontis Street and recommended along Frontis Street, Griffith Road and Van Buren Street.

Transit: Route 43 along Burke Mill and Griffith Roads

CONFORMITY TO PLANS

GMP Area (Legacy): Suburban Neighborhoods (GMA 3), near the Hanes Mall Metro Activity Center (MAC).

Relevant Comprehensive Plan Recommendation(s): Legacy encourages the conversion of existing structures to other uses, when done in a manner that is sensitive to the surrounding uses. Such infill strategies allow for adaptive re-use. With commercial zoning on the east and west of the subject property, converting to PB-S may provide a good transitional use for the property while protecting the remaining residential properties to the south.

Relevant Development Guide Recommendation(s): The South Stratford Road Development Guide recommends the general area where the subject property is located be redeveloped as a mix of office and low traffic generating commercial uses (Map 7). Preferably, the commercial uses should be integrated into the same buildings as the office uses, with offices upstairs and the commercial uses on the ground floor.

Further, the South Stratford Road Development Guide recommends:
1. That a sidewalk be constructed along Griffith Road between Hanes Mall Boulevard and Burke Mill Road (Map 9);
2. Requests for transition of residential to commercial uses shall occur in areas no less than one block in size. No lot by lot conversions will be allowed (Hanes Mall Boulevard Site Study – Van Buren/Frontis Street Area Office Development);
3. Along Griffith Road, “…two driveways will be allowed between Frontis Street and Burke Mill Road. Driveways should be located at least 200 feet from public street intersections and be separated at least 125 feet from each other” (Hanes Mall Boulevard Site Study – Van Buren/Frontis Street Area Office Development); and
4. Minimum setback of 40 feet from Hanes Mall Boulevard, Griffith Road and Burke Mill Road will be required (Hanes Mall Boulevard Site Study – Van Buren/Frontis Street Area Office Development).
ANALYSIS

The subject request is to rezone the site of the former Winston-Salem Fire Station #2 located on the southwest corner of Griffith Road and Frontis Street from RS-9 to PB-S. The property is approximately one half acre in size and is located near the southern fringe of a large area of well maintained retail and office development which is principally oriented to Hanes Mall Boulevard Stratford Road.

The South Stratford Road Development Guide recommends the general area where the subject property is located be redeveloped as a mix of office and low traffic generating commercial uses. Planning staff sees the current request as being consistent with this recommendation in that the total size of the building with expansions is less than 5,000 square feet. In addition, the only proposed use is Services, Personal which equates to a tanning salon in this instance.

The plan initially showed an internal driveway which ran parallel to Frontis Street and connected the two separate parking areas on the site. However, such a driveway would result in the removal of several mature oak tree street trees which front along the Frontis Street. In addition, the need for this additional circulation area and its associated impervious surface is questionable due to the existence of three public streets which already closely border the site. It is anticipated the revised plan will show this connection as being removed and said trees to remain. It is also anticipated that sidewalks, as requested, will be shown along all three streets and a cross access easement to the property directly to the south will be provided.

Staff recommends approval of the subject request.

FINDINGS

1. Legacy encourages the conversion of existing structures to other uses, when done in a manner that is sensitive to the surrounding uses.

2. The South Stratford Road Development Guide recommends the general area where the subject property is located be redeveloped as a mix of office and low traffic generating commercial uses.

3. Request represents an adaptive reuse of a former fire station on the southern fringe of a heavily commercialized area.

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 BUILDING PERMITS
  a. Developer shall obtain a driveway permit from the City of Winston-Salem.
**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

a. Developer shall complete any improvements, as required by the Winston-Salem Department of Transportation.

b. Trees required within any street yards, bufferyards and motor vehicle parking areas shall be large variety trees as defined in UDO Section 3-4.10, where no conflict occurs with over head utility lines.

c. Developer shall install a minimum five (5) foot wide sidewalk along the entire frontage of the property along Griffith Road, Frontis Street and Van Buren Street to City of Winston-Salem standards. Exact location of sidewalk on Griffith Road and whether a payment in-lieu option may be exercised to be determined by the City of Winston-Salem Engineering Division.

d. Developer shall record a 25’ wide vehicular cross access easement in the office of the Register of Deeds to allow cross access between adjoining properties as shown on the site plan.

**OTHER REQUIREMENTS**

a. Signage shall be limited to one (1) monument sign with a maximum height of six (6) feet.

b. All on site lighting shall be a maximum of 15 feet tall and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent properties.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

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

SECOND: Lavastian Glenn

VOTE:

FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Smith

AGAINST: None

EXCUSED: Norwood

___________________________
A. Paul Norby, AICP
Director of Planning