DOCKET #: W2762

PROPOSED ZONING: GB-S (Multiple Uses)

EXISTING ZONING: CPO

PETITIONER: BF REAL I, LLC, for property owned by Same

SCALE: 1" represents 400'

STAFF: King

GMA: 3

ACRE(S): 1.01

MAP(S): 612842
April 20, 2005

BF REAL I, LLC
c/o David E. Gronewoller
3816 Forrestgate Drive
Winston-Salem, NC  27103

RE:    ZONING MAP AMENDMENT W-2762

Dear Mr. Gronewoller:

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
        Brad Rhinehalt/Zimmer Development, 111 Princess Street, Wilmington, NC  28401
ACTION REQUEST FORM

DATE: April 20, 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 BF REAL I, LLC

SUMMARY OF INFORMATION:

Zoning map amendment of BF REAL I, LLC from CPO to GB-S [Professional Office; Food or Drug Store; Banking and Financial Services; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Health Service, Miscellaneous; Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Restaurant (without drive-through service); Restaurant (with drive-through service); Arts and Crafts Studio; Car Wash; Medical and Surgical Offices; Medical or Dental Laboratory; Non-Store Retailer; Testing and Research Lab; Services, Business A; Services, Business B; Services, Personal; Recreation Services, Indoor; School, Private; School, Vocational or Professional; Broadcast Studio; Government Offices; Club or Lodge; and Museum or Art Gallery]: property is located on southeast corner of Hanes Mall Blvd and Frontis Plaza Blvd (Zoning Docket W-2762).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS
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 CPO to GB-S [Professional Office; Food or Drug Store; Banking and Financial Services; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Health Service, Miscellaneous; Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Restaurant (without drive-through service); Restaurant (with drive-through service); Arts and Crafts Studio; Car Wash; Medical and Surgical Offices; Medical or Dental Laboratory; Non-Store Retailer; Testing and Research Lab; Services, Business A; Services, Business B; Services, Personal; Recreation Services, Indoor; School, Private; School, Vocational or Professional; Broadcast Studio; Government Offices; Club or Lodge; and Museum or Art Gallery] the zoning classification of the following described property:

Tax Block 6260, Tax Lot 002E

Section 2. This Ordinance is adopted after approval of the site plan entitled BF REAL I, LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20___ to BF REAL I, LLC.
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 BF REAL I, LLC. 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 BF REAL I, LLC, (Zoning Docket W-2762). 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 [Professional Office; Food or Drug Store; Banking and Financial Services; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Health Service, Miscellaneous; Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Restaurant (without drive-through service); Restaurant (with drive-through service); Arts and Crafts Studio; Car Wash; Medical and Surgical Offices; Medical or Dental Laboratory; Non-Store Retailer; Testing and Research Lab; Services, Business A; Services, Business B; Services, Personal; Recreation Services, Indoor; School, Private; School, Vocational or Professional; Broadcast Studio; Government Offices; Club or Lodge; and Museum or Art Gallery], 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 BUILDING PERMITS**
  a. Driveway permit must be issued.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  a. Sidewalks shall be installed along the frontage of Hanes Mall Boulevard and Frontis Plaza Boulevard.

- **OTHER REQUIREMENTS**
  a. No additional signage shall be permitted.
ZONING STAFF REPORT

DOCKET #  W-2762
STAFF:    Aaron King

Petitioner(s): BF Real I, LLC
Ownership: Same

REQUEST

From: CPO Corporate Park Office District
To: GB-S General Business District (Professional Office; Food or Drug Store; Banking and Financial Services; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Health Service, Miscellaneous; Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Restaurant(without drive through service); Restaurant(with drive through service); Arts and Crafts Studio; Car Wash; Medical and Surgical Offices; Medical or Dental Laboratory; Non-Store Retailer; Testing and Research Lab; Services, Business A; Services, Business B; Services, Personal; Recreation Services, Indoor; School, Private; School, Vocational or Professional; Broadcast Studio; Government Offices; Club or Lodge; Museum or Art Gallery)

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

Acreage: 1.01

LOCATION:

Street: Southeast corner of Hanes Mall Boulevard and Frontis Plaza Boulevard.
Jurisdiction: City of Winston-Salem.
Ward: South.

SITE PLAN

Proposed Use: Multiple Uses.
Square Footage: 8,262 square feet.
Building Height: 60 feet allowed in GB zoning district.
Parking: Required: 56 spaces; Proposed: 56 spaces.
Bufferyard Requirements: None required.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: The property currently contains a two-story brick retail/office building. The eastern 1/3 of the building is occupied by Starbucks, with the remaining portion currently unoccupied.
Adjacent Uses:
- North- Bank zoned GB.
- Northeast- Fast food restaurant zoned GB.
- East- Credit Union zoned CPO.
- South- Professional Center zoned CPO.
- West- Office building zoned CPO.
- Northwest- Retail store zoned GB.

GENERAL AREA

Character/Maintenance: The area along this section of Hanes Mall Boulevard is composed of a mixture of retail and office uses.
Development Pace: Rapid.

HISTORY

1. W-2746; RS-9 to PB-S (Services, Personal); approved February 7, 2005; southwest corner of Griffith Road and Frontis Street; 0.52 acre; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: No significant impact on existing features.
Topography: The property is relatively flat, with a minor slope leading down to Hanes Mall Boulevard.
Streams: None noted.
Vegetation/habitat: No significant vegetation noted.
Wetlands: None noted.
Water Supply Watershed: The subject property is not located in a water supply watershed.

TRANSPORTATION

Direct Access to Site: Frontis Plaza Blvd.
Street Classification: Local Road.
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day): On Hanes Mall Blvd between Frontis Plaza Blvd and Brookview Hills Blvd = 30,000/30,400
Trip Generation/Existing Zoning: CPO
Because the subject property is general use CPO it is not possible to accurately calculate trip generation for the existing development on the site.
Trip Generation/Proposed Zoning: GB-S
1,307/1,000 x 130.34 (High-Turnover Sit Down Restaurant) = 170 Trips per Day
6,955/1,000 x 716 (Restaurant without Drive Through) = 4,979 Trips per Day
Estimated Total Trips per Day: 5,149
Planned Road Improvements/Thoroughfare Plan: None.
Sight Distance: Good.
Traffic Impact Study recommended: No.
Sidewalks: The Interdepartmental Site Plan Review Committee recommends sidewalks on Hanes Mall Boulevard and Frontis Plaza Boulevard.
Transit: Westside Connector runs along Frontis Plaza Blvd and Hanes Mall Blvd.
Bicycle Route: No.

CONFORMITY TO PLANS
GMP Area (Legacy): Suburban Neighborhoods (GMA 3).
Relevant Comprehensive Plan Recommendation(s): Legacy promotes focused commercial development that is designed for the pedestrian as well as the automobile. Most parking should be to the side or rear of a site where possible and buildings should face the street.
Relevant Development Guide Recommendation(s): The South Stratford Road Development Guide recommends office development for this site.

ANALYSIS

The subject request is to rezone 1.01 acres of property located at the intersection of Frontis Plaza and Hanes Mall Boulevards from CPO to GB-S (Multiple Uses). The property currently contains a two-story brick building that is approximately 4,262 square feet in area. The eastern 1/3 of the building is currently occupied by Starbucks while the remaining portion of the building is vacant. Access to the property comes via Frontis Plaza Boulevard, with parking in front of and to the side of the existing building. The subject property is located within a stretch of Hanes Mall Boulevard that has seen rapid commercial growth in the last twenty years. A large portion of the surrounding area is currently zoned GB with various commercial uses.

Along with a change in zoning districts from CPO to GB-S, this request would allow the expansion of the existing building by 4,000 square feet. Staff sees that this request is consistent with the commercial activity that has occurred along Hanes Mall Boulevard in recent years. Rather than pursuing these commercial uses in the CPO district as an accessory use, the applicant has chosen to pursue the rezoning of the property to GB-S. The GB district provides more flexibility in commercial uses that are allowed. While this request is consistent with surrounding properties, staff would like to note that a second tier of commercial development along Frontis Plaza Boulevard is not desirable. Staff is understanding of the nature of the applicant’s request and sees this request to be in harmony with the surrounding commercial uses. Staff recommends approval of this request.

FINDINGS

1. The subject property is located within the South Stratford Road Development Guide.
2. The property is located in an area that contains a large share of GB zoning.
3. Rather than pursue these commercial uses as accessory uses in the CPO district, GB-S zoning is being sought.
4. A second tier of commercial development along Frontis Plaza Boulevard is not recommended.

**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. Driveway permit must be issued.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  a. Sidewalks shall be installed along the frontage of Hanes Mall Boulevard and Frontis Plaza Boulevard.

- **OTHER REQUIREMENTS**
  a. No additional signage shall be permitted.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Dara Folan moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Jerry Clark

VOTE:
  FOR: Clark, Folan, Glenn, King, Mullican, Norwood
  AGAINST: None
  EXCUSED: None

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A. Paul Norby, AICP
Director of Planning