



DOCKET #: W2666
 (continued from 1/8/04
 CCPB meeting)

PROPOSED ZONING:
 LB-S (Veterinary Services)

EXISTING ZONING:
 LO

PETITIONER:
 Dr. William E. Taylor
 and Jennifer Taylor
 for property owned
 by Hugh Burgess
 Robinson, Jr.
 and Dallas C. Robinson

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRE(S): 0.67

MAP(S): 612870



DRAFT ZONING STAFF REPORT

DOCKET # W-2666
STAFF: Gary Roberts

Petitioner(s): Dr. William E. Taylor and Jennifer Taylor
Ownership: Hugh B. Robinson Jr. and Dallas C. Robinson

REQUEST

From: LO Limited Office District
To: LB-S Limited Business District (Veterinary Services)

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

Acreage: 0.67 acre

CONTINUANCE HISTORY

The petition was continued from the January 8, 2004 Planning Board meeting to the February 12, 2004 meeting in order for the Planning Board to consider a text amendment, UDO-113, which would allow Veterinary Services within the LO district.

LOCATION:

Street: Northwest corner of Reynolda Road and Polo Road.
Jurisdiction: City of Winston-Salem.
Ward: Northwest.

SITE PLAN

Proposed Use: Veterinary Service.
Square Footage: 4,000 square feet existing, plus potential expansion of 1,500 square feet.
Building Height: Two story.
Parking: Required: 10 spaces for 4,000 square feet; proposed: 27 existing spaces.
Bufferyard Requirements: 15 foot type II bufferyard adjacent to RS-9 (variance to be applied for).
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Two story building formerly used as a bank.
Adjacent Uses:

Northeast- Office use zoned GO-S.
East- Brighton Gardens assisted living facility zoned GO-S.

South-	Small scale office uses zoned LO.
Southwest-	Adaptive reuse for offices zoned GO-S.
West-	Small scale office use zoned LO-S.
Northwest-	Single family residence zoned RS-9.

GENERAL AREA

Character/Maintenance: Mixture of well maintained single and multifamily residences and office uses. The offices are in converted single family homes, which maintains the residential character of the area.

Development Pace: Slow.

HISTORY

Relevant Zoning Cases:

1. W-2624; RS-9 to LO-S (Professional Office); approved June 2, 2003; southwest side of Reynolda Road north of Polo Road; 1.91 acres; Planning Board and staff recommended approval.
2. W-2144; RS-9 to LO-S (Professional Office); approved April 7, 1997; northeast corner of Polo Road and Ransom Road, directly adjacent to southwestern side of subject property; 1.07 acres; Planning Board and staff recommended approval.
3. W-1517; GO-S (Child Day Care Center; Medical or Dental Laboratory; Funeral Home; Hospital or Health Center; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Banking and Financial Services – TWO PHASE) to Final Development Plan; approved June 5, 2000; southeast corner of Reynolda Road and Polo Road; 6.24 acres; Planning Board and staff recommended approval.
4. W-1268; R-4 to R-1-S (Professional Office; Offices, Miscellaneous and Banking and Financial Services); approved July 1, 1985; northwest side of Reynolda Road and Ferneliffe Drive across Reynolda Road from subject property; 0.72 acre; Planning Board and staff recommended approval.
5. W 678; R-5 to R-3-S (PRD, Site Plan Amendment); approved November 6, 1978; southwest side of Reynolda Road, northwest of Polo Road; 8.93 acres; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: The proposed site plan does not appear to significantly impact the existing features on the subject property.

Topography: Gentle slope downward from the center section of the site to the northeast and northwest sections of the site.

Streams: No streams are on or near the subject property.
Vegetation/habitat: No significant vegetation is present on the subject property.
Environmental Resources Beyond The Site: The proposed site plan does not appear to significantly impact environmental resources beyond the site.
Water Supply Watershed: The subject property is not located in a water supply watershed.

TRANSPORTATION

Direct Access to Site: Reynolda Road; Polo Road.
Street Classification: Reynolda Road – Major Thoroughfare; Polo Road – Minor Thoroughfare.
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Reynolda Road between Polo Road and Silas Creek Parkway = 20,000/32,200
Reynolda Road between Fairlawn and Briarcliff = 32,000/32,200
Trip Generation/Existing Zoning: LO
 $3,500/1,000 \times 265.21(\text{Drive Thru Bank Trip Rate}) = 928 \text{ Trips per Day}$
Trip Generation/Proposed Zoning: LB-S
No trip generation rate available for veterinary services, but is expected to be less than drive thru bank trip rate.
Interior Streets: Planning staff has requested a cross access easement be provided to the adjoining RS-9 lot to the north.
Traffic Impact Study recommended: No.
Sidewalks: East side of Reynolda Road, south side of Ransom Road, south side of Polo Road.
Transit: Route 16 along Reynolda, Polo and Ransom Roads.
Bicycle Route: None.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).
Relevant Comprehensive Plan Recommendation(s): *Legacy* supports neighborhood serving business and office uses located within and on the edges of residential areas. Sensitive conversion of existing homes, additions or new structures with compatible scale and design as well as attention to details such as parking, screening and noise abatement can make these non-residential uses good neighbors.
Area Plan/Development Guide: *Polo-Reynolda Area Plan* (1985)
Relevant Development Guide Recommendation(s): The *Polo-Reynolda Area Plan* recognizes the subject property as an office use and does not recommend a change. The *Polo-Reynolda Area Plan* also contains a detailed site-study for the Reynolda Road corridor between Silas Creek Parkway and Yadkinville Road. The study cites the need to allow for conversions of residential properties to offices along Reynolda Road between Silas Creek Parkway and Fairlawn Drive, if certain site design techniques are utilized. However, the study specifically states that conversions to commercial uses within the same area should be discouraged. Although not stated, one can infer that such would hold true for conversions of existing offices within the same corridor. If this rezoning request is approved, the following recommended standards for residential-to-office conversions contained in the *Polo-Reynolda Area Plan* should be implemented for this case: (a) parking in the rear; (b) maintain the character of the existing structure; (c)

minimize signage; and (d) additional landscaping screen adjacent to remaining residential areas.

ANALYSIS

The subject request is to rezone 0.67 acre located on the northwest corner of Reynolda Road and Polo Road from LO to LB-S. The site was most recently used as a bank which would be converted into a veterinary office under the current request.

The surrounding area is characterized by small to moderately sized office and institutional uses along with some multifamily residential and a few remaining single family residences at a major intersection. Many of the nearby LO-S properties represent former single family residences which have been tastefully converted into office use. This portion of Reynolda Road in fact represents one of the best local alternatives to conventional strip commercial development along a major thoroughfare.

The property is located within the *Polo/Reynolda Area Plan* which, as might be expected, recommends sensitive adaptive conversions from residential to office use for the properties on both sides of Reynolda Road within the general area. The plan does not recommend introducing any commercial zoning into the area.

The subject LB-S request utilizes the existing structure, parking arrangement and access points. Although the single requested use of Veterinary Services is debatably comparable to some of the more intensive uses permitted under the current LO district, staff sees the request as opening the door to future commercial development along this portion of Reynolda Road. Commercial opportunities for the surrounding neighborhood are currently provided further west along Reynolda Road and further east within Reynolda Village. Establishing LB zoning at the intersection of Reynolda Road and Polo Road could set a precedent for future similar requests thus impeding traffic movement and diminishing the long term viability of this successful transitional corridor.

Staff views the subject request as being inconsistent with zoning for the surrounding area and the recommendations of the adopted area plan and therefore recommends denial.

FINDINGS

1. *Legacy* recommends that commercial uses are designed to fit in with the surrounding neighborhood.
2. The *Polo/Reynolda Area Plan* recommends sensitive adaptive conversion of the property to office use.
3. The petition represents the introduction of commercial zoning into an area which is exclusively office and residential in character.

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 BUILDING PERMITS**
 - a. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Department.
 - b. A variance must be approved by the City Zoning Board of Adjustment for the bufferyard requirement on the north property line.
 - c. Developer shall record a 25 foot wide vehicular access easement to allow future cross access via a shared driveway with adjacent property to the north.
 - d. Any expansions to the building shall be consistent with existing architecture and building materials as verified by Planning Staff.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. All required fire hydrants shall be installed in accordance with the City Fire Department.
 - b. Petitioner shall remove and landscape the area where the six parking spaces now exist closest to Reynolda Road.
 - c. Petitioner shall install sidewalks along the sites frontage of Reynolda Road and Polo Road.

- **OTHER REQUIREMENTS**
 - a. Signage shall be limited to one (1) monument sign with a maximum height of five (5) feet and a maximum copy area of 20 square feet. Such sign shall not be internally illuminated.

PUBLIC HEARING - January 8, 2004

FOR:

Eric Taylor, 3961 Seaton Road, Winston-Salem, NC 27104

I'm the applicant and the vet.

I'm a small animal practitioner.

We want to be community oriented, involved with the community, community service, sponsor community events.

Initially we just want to move in. We felt if we wanted expand, we could put a wall where the drive-in for the bank is now.

Smell and noise are the two things that can kill a small veterinary service.

It is a less intensive use than the bank with approximately 30% less traffic.

Typical number of transactions per day would be 20.

Hours would be typical veterinary hours.

We would hope to eventually provide 20 jobs to the community.

Read letter of support from Warren and Joan Taylor, resident on Reynolda Road, living adjacent to this site.

Janice Lewis, 2060 Faculty Drive, Winston-Salem, NC 27106

I think the veterinary services there would be very compatible with other uses along the roads here.

This would be a dramatically reduced intensity of use from a bank with a drive-through and ATM.

By submitting a special use request, Dr. Taylor is giving the city much more control over the site. Right now another bank could go in and make multiple changes.

He is asking for the lowest level of zoning that will allow this use.

AGAINST:

James Barker, 440 Yates Road, Winston-Salem, NC 27106

I've lived here 34 years.

I was opposed to the zoning on this site being changed to allow a bank. Now we're wanting to zone this for business.

This veterinarian has good ideas. He's not going to have cows and horses, but how long is he going to be here?

What will the next person bring in? He could bring in horses and cows.

We're getting our foot in the door. Where's it going to stop?

We don't want a Hanes Mall Boulevard out here.

We don't need to go any further out here.

Jack Hall, 1610 West Polo Road, Winston-Salem, NC 27106

Live just across from this site.

I've lived here 37 years. I've lived over 40 years in this immediate area.

I stand in opposition to this zoning classification amendment.

This area has had significant growth.

The area plan spells out the plans for this intersection in detail. The blend of condos, single family homes, businesses, etc. was on purpose.

It's wrong to spend money, have a very comprehensive plan put together, key a neighborhood off of it, then come back and allow an onslaught on changes.

The request is contrary to the current and future development plans for this area.

The change would start a trend toward business zoning.

Dr. Robert Vorstadt, 3620 Marlow Avenue, Winston-Salem, NC 27106

President of University Area Neighborhood Association.

We strongly support staff's recommendation of denial.

I've heard Dr. Taylor's statements about his love for his community which is Sherwood Forest.

We have the same love for our community.

The decision was made to put Veterinary Services in LB for a reason. That is not the decision being made now.

This will set a precedent for more development along Reynolda Road.

WORK SESSION

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

1. There is a significant difference regarding the impact of a small animal veterinary service with no outdoor facilities and a large animal veterinary practice or a veterinary hospital with outdoor runs.
2. The Board requested that staff draft a text amendment distinguishing a small animal veterinary service from other veterinary services and providing for small animal veterinary services in the LO District so a business precedent isn't set.
3. A 60 day continuance would interfere with the petitioner's option to purchase, but a 30 day continuance would be agreeable to all.
4. Mr. Norwood reminded the Board that the UDO Steering Committee specifically chose to leave "Veterinary Services" as a single use and to limit it to the business districts. Those reasons may not be known to the Board at this time, but should be investigated before the Board considers a change which will impact the entire county based on one situation.
5. Mr. Clark asked that staff get a feel for the reasons for the UDO Steering Committee's recommendation to provide for Veterinary Services as currently specified.

MOTION: John Bost moved continuance of the zoning map amendment and site plan to February 12, 2004, during which time staff would draft a text amendment that does separate out small vet practices and restricts anything in small veterinary practice that would prohibit the use being allowed in an LO District.

SECOND: Carol Eickmeyer

VOTE:

FOR: Bost, Clark, Eickmeyer, Glenn, King, Lambe, Mullican, Norwood

AGAINST: None

EXCUSED: None

PUBLIC HEARING - February 12, 2004

FOR: None

AGAINST: None

WORK SESSION

MOTION: Arnold King moved withdrawal of the zoning map amendment with the waiver of all fees except advertising fees if Dr. Taylor files this request again after the Zoning Board of Adjustment considers it.

SECOND: Clarence Lambe

VOTE:

FOR: Bost, Clark, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Norwood

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning