



DOCKET #: W2519

PROPOSED ZONING:
NO-S (Multiple Uses
- TWO PHASE)

EXISTING ZONING:
RS9

PETITIONER:
Hallie H. Hauser

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 0.86

MAP(S): 606842



December 19, 2001

Hallie H. Hauser
2945 Lashmit Drive
Winston-Salem, NC 27103

RE: ZONING MAP AMENDMENT W-2519

Dear Ms. 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
Stephen Calaway, 1330 Ashley Square, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: December 19, 2001
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 Hallie H. Hauser

SUMMARY OF INFORMATION:

Zoning map amendment of Hallie H. Hauser from RS-9 to NO-S (Medical and Surgical Offices; Professional Offices; Offices, Miscellaneous; Adult Day Care, Home; Child Day Care, Small Home; and Residential Building, Single Family - TWO PHASE): property is located on the northwest side of Stratford Road across from Burke Mill Road (Zoning Docket W-2519).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Hallie H. Hauser, Docket W-2519

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 to NO-S (Medical and Surgical Offices; Professional Offices; Offices, Miscellaneous; Adult Day Care, Home; Child Day Care, Small Home; and Residential Building, Single Family - TWO PHASE) the zoning classification of the following described property:

Tax Block 3984, Tax Lots 8 and 3A
Tax Block 3901, Tax Lot 41D

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

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 Hallie H. Hauser. 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 Hallie H. Hauser, (Zoning Docket W-2519). 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 NO-S (Medical and Surgical Offices; Professional Office; Offices, Miscellaneous; Adult Day Care, Home; Child Day Care, Small Home; and Residential Building, Single Family - TWO PHASE), 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 NO-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 ISSUANCE OF GRADING PERMITS**
 - a. Developer shall obtain driveway permit onto South Stratford Road from NCDOT.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. A cross access drive connection extending the full width of Phase One as shown on the site plan, shall be installed to the property line and an associated easement shall be recorded to allow cross access between adjoining properties. An extension of the access drive will be required in Phase II.

- **OTHER REQUIREMENTS**

- a. One (1) freestanding monument type ground sign shall be permitted per principle structure, each with a maximum height of five (5) feet and a maximum copy area of twenty (20) square feet.
- b. This petition is a TWO PHASE petition that requires Final Development Plans to 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 to said Final Development Plans in accordance with UDO Section 6-2.2(D)(2)(b).

ZONING STAFF REPORT

DOCKET # W-2519
STAFF: Gary Roberts

Petitioner(s): Hallie H. Hauser
Ownership: Same

REQUEST

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf
To: NO-S Neighborhood Office District (Medical and Surgical Offices; Professional Offices; Offices, Miscellaneous; Adult Day Care, Home; Child Day Care, Small Home; and Residential Building, Single Family- TWO PHASE)

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

Acreage: 0.86 acre

LOCATION

Street: West side of Stratford Road across from Burke Mill Road.
Jurisdiction: City of Winston-Salem.
Ward: Southwest.

SITE PLAN

Proposed Use: Medical and Surgical Office; and Residential Building, Single Family, Phase One.
Square Footage: 1,580 square feet.
Building Height: One story.
Density: Not applicable.
Parking: Required: 4 spaces; proposed: 4 spaces.
Bufferyard Requirements: 15 foot type II between parking area and RS-9.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Two single family residences and a rear yard storage building.

Adjacent Uses:

North - Single family residential uses zoned RS-9.
Northeast - Further to the northeast along Stratford Road is Brick Oven Restaurant zoned LB-S and LaQuinta Inn zoned GB-S.

- East - Single family residential uses zoned RS-9.
- South - Single family residential uses zoned RS-9 and a manufactured home zoned RS-9.
- West - Single family residential uses zoned RS-9.

GENERAL AREA

Character/Maintenance: Well maintained modest single family homes with medium scale new retail to the north.

Development Pace: Very active to the north.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Removal of some trees and eventual removal of rear yard storage building to accommodate cross access easement and buffer.

Topography: Relatively flat with a driveway incline upward from Stratford Road.

Vegetation/habitat: Typical residential yard.

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

Constraints: Property is relatively shallow and adjacent to other single family residences. The site also lies on the inside of a slight horizontal curve, at a busy intersection on a heavily traveled road. A center island in Stratford Road prevents left turning movements into and from the property.

TRANSPORTATION

Direct Access to Site: Stratford Road; Burke Mill Road.

Street Classification: Stratford Road - major thoroughfare; Burke Mill Road - minor thoroughfare.

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

Stratford Road between Hanes Mall Boulevard and Somerset Road = 24,000/42,200

Burke Mill Road between Stratford Road and Griffith Road = 4,500/16,100

Trip Generation/Existing Zoning: RS-9

$0.86 \times 43,560/9,000 = 4 \text{ lots} \times 9.57 \text{ (SFR Trip Rate)} = 38 \text{ trips per day}$

Trip Generation/Proposed Zoning: NO-S

$4,552.25 \text{ (estimated square feet of buildings on-site)}/1,000 \times 79.26 \text{ (Day Care Trip Rate)} = 360 \text{ trips per day}$

Planned Road Improvements: Burke Mill Road realignment with Atwood Road construction scheduled for 2004. Project funded in bond package.

Interior Streets: Rear serving, cross access easement proposed.

Transit: Route #19 along Stratford Road.

HISTORY

Relevant Zoning Cases:

1. W-2449; RS-9 to NO; withdrawn at April 12, 2001 Planning Board meeting; current site; staff recommended denial.
2. W-2353; RS-9 to LB-S [Restaurant (without drive-through); Retail Store, Speciality or Miscellaneous; Professional Office; and Services, Business A]; Grand Oaks Pavilion; approved June 3, 2000; Stratford Road (300 feet north and across Stratford Road from current site); 3.23 acres; Planning Board recommended denial, staff recommended approval.
3. W-2296; RS-9 to NO-S (Non-Store Retailer; Medical and Surgical Offices; Banking and Financial Services; Professional Office; and Government Offices); approved May 3, 1999; northwest side of South Stratford Road between Summerlin Street and Frederick Drive; 0.45 acre; Planning Board and staff recommended approval.
4. W-2235; RS-9 to NO-S (Non-Store Retailer; Medical and Surgical Offices; Banking and Financial Services; Professional Offices; and Government Offices); approved September 8, 1998; 0.48 acre; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods

Relevant Comprehensive Plan Recommendation(s): Relevant policies in *Legacy* include (1) protect residential areas from inappropriate commercial and industrial encroachment; (2) encourage compatible neighborhood-serving commercial development; and (3) new and adaptive reuse for commercial purposes should be designed to be compatible with a good neighbor to the surrounding residences.

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

Relevant Development Guide Recommendation(s): The *South Stratford Road Development Guide* specifically targets the first row of residential structures along the west side of Stratford Road between Summerlin Street to the north and Atwood Street to the south for conversion into offices (page # 17). Such conversions should meet the following performance standards (page # 15): a) the exterior of the existing residential structure should be preserved; b) the offices should be low-traffic generating; c) parking should be in the rear of structures, where possible; d) only minimal signage should be used (identification signs); e) shared driveways should be utilized to minimize the number of driveway cuts; and f) there should be buffering along the rear lot line to adjoining single-family residences. According to the guide, certain parcels should not be permitted for conversion until Burke Mill Road has been realigned with Atwood Road. One such

parcel is the subject property (tax lot 41D). The other impacted parcels are tax lots 41B, 41E and 41F, none of which have been converted to office use (still zoned RS9). The realignment of Burke Mill Road has not yet taken place. The contract for the design phase of the re-alignment has been let and construction is scheduled for 2004.

ANALYSIS

The petitioner requests approval to rezone a 0.86 acre tract of land on the west side of South Stratford Road from RS-9 to NO-S. The property is located across South Stratford Road across from Burke Mill Road. Presently on the site are two, detached dwellings with a total of three driveway entrances onto South Stratford Road.

In February of 2001, the Planning Board heard a NO general use request for the subject property. The case was withdrawn at the April 12th meeting and did not address the site specific objectives of the *South Stratford Road Area Plan*. The current TWO PHASE request consists of an adaptive reuse of the two existing principle structures and a reduction of drive entrances from three to one. The site plan shows parking to be located behind the existing structures. In addition, the applicant has agreed to provide a cross access drive/easement extending the width of the rear yard to eventually serve all the lots fronting on South Stratford Road from Frederick Drive to Atwood Road. This will ultimately help to minimize the number of unsafe access points within this block. Phase One consists of the overall NO-S rezoning and the site plan for the northernmost property (2130 South Stratford Road). Phase Two will involve site plan approval for the remaining southern portion of the site.

It is staff's opinion that the subject request adequately addresses all of the relevant recommendations of the area plan regarding the conversion of single family residences which now front along this major thoroughfare. These recommendations include; adaptive reuse of existing structures for small office uses; shared driveways; low impact signage and rear yard buffering adjacent to the remaining RS-9 properties. Based upon these considerations, staff recommends approval.

FINDINGS

1. *Legacy* recommends protection of residential areas from inappropriate commercial and industrial encroachment and that new and adaptive reuse for commercial purposes should be designed to be compatible with a good neighbor to the surrounding residences.
2. The *South Stratford Road Area Plan* recommends the adaptive reuse of existing structures for small office uses; shared driveways; low impact signage and rear yard buffering adjacent to the remaining RS-9 properties.
3. The current petition adequately addresses the above mentioned plan recommendations and provides a cross access rear yard driveway.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

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

- **PRIOR TO ISSUANCE OF GRADING PERMITS**
 - a. Developer shall obtain driveway permit onto South Stratford Road from NCDOT.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. A cross access drive connection extending the full width of Phase One as shown on the site plan, shall be installed to the property line and an associated easement shall be recorded to allow cross access between adjoining properties. An extension of the access drive will be required in Phase II.

- **OTHER REQUIREMENTS**
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 - b. This petition is a TWO PHASE petition that requires Final Development Plans to 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 to said Final Development Plans in accordance with UDO Section 6-2.2(D)(2)(b).

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Philip Doyle moved approval of the zoning map amendment provided that the revised site plan the petitioner has agreed to is submitted prior to Board of Aldermen consideration.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Bost, Clark, Doyle, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Philip Doyle

SECOND: Kerry Avant

VOTE:

FOR: Avant, Bost, Clark, Doyle, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning