

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3415
Staff	Elizabeth Colyer
Petitioner(s)	Iffet Saeed and Muhammad Azam
Owner(s)	Same
Subject Property	PIN 6844-98-6338 and a portion of PIN 6844-98-6268
Address	2214 Cole Road
Type of Request	Special Use rezoning from RS9 to NO-S
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential, Single Family – 9,000-square foot minimum lot size) to NO-S (Neighborhood Office – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Offices and Residential Building, Single Family
Continuance and Remandment History	<p>The request was originally submitted as a General Use rezoning from RS9 to NO and was continued from the June 2019 Planning Board meeting to the July 2019 meeting, then to the August 2019 meeting, where it was recommended for denial. The request was heard by the City Council on October 7, 2019. At that time, the request was remanded to the Planning Board to allow the petitioner to convert the request to a Special Use rezoning petition. The revised request was submitted in November 2021 and automatically continued from the December 2021 Planning Board meeting to the January 2022 meeting. The second automatic continuance to the February 10, 2022 Planning Board meeting resulted in staff and Planning Board recommendations for denial. The Winston-Salem City Council remanded the case back to the Planning Board at its March 7, 2022 meeting. The petitioner submitted a revised site plan meeting the deadline for the May 12, 2022 Planning Board meeting, then requested the case be continued to the June 9, 2022 Planning Board meeting to meet the requirement for renewed community outreach.</p>
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.
Zoning District Purpose Statement	<p>The NO District is primarily intended to accommodate low intensity office uses within converted single family detached units. The district is intended to be located on the periphery of established residential areas, along major and minor thoroughfares. The district is established to provide convenient locations for offices, the size and operating characteristics of which require limited parking and generate little traffic. Standards are designed so that this district may serve as a transitional land use between residential districts and commercial districts. This district is intended for application in GMAs 2, 3 and 4.</p>

Rezoning Consideration from Section 3.2.19 A 16	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?					
	Yes, the site is within GMA 2 and located along a minor thoroughfare. The property could also be viewed as a transitional site between residential properties and commercially zoned properties.					
GENERAL SITE INFORMATION						
Location	West side of Cole Road, south of Waughtown Street					
Jurisdiction	Winston-Salem					
Ward(s)	Southeast					
Site Acreage	± .44 acre					
Current Land Use	The property is currently used as a single-family home.					
Surrounding Property Zoning and Use	Direction	Zoning District			Use	
	North	HB			El Paisano Restaurant	
	East	RS9			Undeveloped lot and a single-family home	
	South	RS9			Single-family home	
	West	HB			Single-family home	
Rezoning Consideration from Section 3.2.19 A 16	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	Yes, given the modest size of the subject property, the proposed office and residential uses are compatible with the uses permitted on the adjacent RS9 and HB zoned properties.					
Physical Characteristics	The developed site has a gentle slope upward toward the northeast.					
Proximity to Water and Sewer	The site has access to public water and sewer along Cole Road.					
Stormwater/ Drainage	No known issues.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The site is currently developed with a single-family home and a parking area. It is positioned between use-intense HB properties that front on Waughtown Street and RS9 properties containing other single-family homes. The site appears to have no development constraints.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3004	RS9 to HB-S	Withdrawn 2/2/2009	100 feet west	1.99	Denial	Denial

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Cole Road	Minor Thoroughfare	129 feet	1,600	13,800
Proposed Access Point(s)	The site will continue to be accessed from Cole Road.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RS9</u> $\pm .44 \text{ acre} / 9,000 = 2 \text{ units} \times 9.57 \text{ (SFR trip rate)} = 19 \text{ trips per day}$</p> <p><u>Proposed Zoning: NO-S</u> $1,557 \text{ sf} / 1,000 \text{ sf} = 1.56 \times 11.01 \text{ (Offices trip rate)} = 17 \text{ trips per day}$</p>			
Sidewalks	Sidewalks are located along both sides of Cole Road.			
Transit	WSTA Route 101 runs along Cole Road in front of the subject property.			
Analysis of Site Access and Transportation Information	The site is located on Cole Road, a minor thoroughfare with ample capacity, and is served by public transit and sidewalks. Due to the modest size of the subject property and the limited intensity of the proposed uses, staff does not foresee any transportation-related issues associated with the request.			
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS				
Building Square Footage	Square Footage	Placement on Site		
	1,557	Northeast portion		
Parking	Required	Proposed		
	4 spaces	4 spaces		
Building Height	Maximum	Proposed		
	40 feet	15 feet		
Impervious Coverage	Maximum	Proposed		
	60 percent	21.8 percent		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 4.2.4: Supplementary Standards for Nonresidential Development in the GMA 2 Area Section 4.6.1: NO Neighborhood Office District 			
Complies with Section 3.2.11	(A) Legacy 2030 policies:	Yes		
	(B) Environmental Ord.	N/A		
	(C) Subdivision Regulations	N/A		
Analysis of Site Plan Compliance with UDO Requirements	The site is currently developed with a single-family home and a parking area. It is positioned between intense HB-zoned properties that front along Waughtown Street and RS9 properties containing other single-family homes. The site appears to have no development constraints. The proposed site plan meets all UDO requirements and Neighborhood Office supplementary district standards, including bufferyards and other required landscaping.			

CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 2 - Urban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Ensure appropriate transitional land uses or physical buffering between residential and nonresidential uses to maintain the character and stability of neighborhoods. • Encourage quality infill development on both vacant land and redeveloped sites with an emphasis on conforming to the existing neighborhood character and scale. • Discourage inappropriate commercial encroachment into neighborhoods.
Relevant Area Plan(s)	<i>Southeast Winston-Salem Area Plan Update (2013)</i>
Area Plan Recommendations	The subject property is recommended for low-density residential use.
Site Located Along Growth Corridor?	The site is not located along a growth corridor, although it is situated approximately 180 feet south of the Waughtown Street Growth Corridor.
Site Located within Activity Center?	The site is not located within an activity center; however, the site adjoins the Southeast Plaza Activity Center.
Rezoning Consideration from Section 3.2.19 A 16	Have changing conditions substantially affected the area in the petition?
	No
	Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The subject property is developed with a single-family home abutting HB zoning to the north and west. The character of this area of Cole Road, a minor thoroughfare, is largely residential.</p> <p>The area plan recommends low-density residential use of the site. The NO district has supplementary design requirements for landscaping, signage, lighting, and parking location to minimize off-site impacts to adjoining residentially zoned properties.</p> <p>The NO district allows for residential uses, in addition to modestly sized (4,000 square feet building maximum) office and institutional uses. Due to the adjacent HB zoning, the subject property could be an appropriate transition to the NO-S zoning district.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request could provide a reasonable transition between HB properties and RS9 properties.	The area plan recommends no change for the subject property.
The site fronts on a minor thoroughfare with ample capacity and is served by transit and sidewalks.	
No increase in traffic generation is anticipated.	

STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; the City-County Planning Board makes final recommendations, and final action is taken by the appropriate Elected Body, which may approve, deny, continue or request modification to any request. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3415
JUNE 9, 2022**

Desmond Corley presented the staff report and answered questions from Melynda Dunigan about development limitations for the petitioner if the rezoning is approved.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

FOR: Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

FOR: Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Jack Steelman

AGAINST: None

EXCUSED: None