

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket</b>	W-3549
<b>Staff</b>	<a href="#">Tiffany White</a>
<b>Petitioner(s)</b>	Spear Cherry Holdings, LLC
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PINs 6835-15-6438, 6835-15-6349, 6835-15-6289, and 6835-15-5455
<b>Address</b>	102, 110, and 118 South Cherry Street and 101 South Marshall Street
<b>Type of Request</b>	General Use Rezoning
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from <u>LO</u> (Limited Office) <b>to</b> CB (Central Business).</p> <p><b>NOTE:</b> General, Special Use Limited, and Special Use District zoning were discussed with the petitioner(s), who decided to pursue the rezoning as presented. With a General Use request, all uses in the district must be considered.</p>
<b>Neighborhood Contact/Meeting</b>	A summary of the petitioner’s neighborhood outreach is attached.
<b>Zoning District Purpose Statement</b>	The CB District is intended for application in GMA 1. The district is established to encourage high intensity, compact urban development. The district is intended to accommodate a wide range of uses, including office, retail, service, and institutional developments in a pedestrian-oriented setting. The district also accommodates high density residential development. These uses may be mixed on the same tract or within the same structure.
<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<b>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>
	Yes, the proposed rezoning is in a pedestrian-oriented environment and surrounded on three sides by existing CB zoning. The area is also well served by sidewalks and transit and is located within the City Center Growth Management Area (GMA 1).
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	West side of South Cherry Street, south of First Street, East of Marshall Street, North of Salem Parkway.
<b>Jurisdiction</b>	Winston-Salem
<b>Ward(s)</b>	Northwest
<b>Site Acreage</b>	± 1.3 acres

<b>Current Land Use</b>	The site is currently developed with two Local Historic Landmark buildings and one other vacant, non-contributing structure. The two landmark buildings are currently used as offices.					
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>		<b>Use</b>		
	North	CB		Office buildings and a parking deck.		
	South	CB		Salem Parkway and office buildings		
	West	LO		Office buildings		
	East	CB		Salem Parkway ramp and office buildings		
<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<b>Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>					
	The subject site is located in GMA 1 and surrounded on three sides by urban office buildings and parking facilities.					
<b>Physical Characteristics</b>	The developed site slopes gently to the south.					
<b>Proximity to Water and Sewer</b>	The subject property has access to public water and sewer from the surrounding streets.					
<b>Stormwater/ Drainage</b>	No known stormwater or drainage issues exist on-site.					
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed or overlay district.					
<b>Historic, Natural Heritage and/or Farmland Inventories</b>	Three of the four subject parcels are Local Historic Landmark properties. There is an approved Certificate of Appropriateness (COA) for the parcel located at 102 South Cherry Street, PIN 6835-15-6438, dated May 4, 2022.					
<b>Analysis of General Site Information</b>	The developed site is surrounded on three sides by other CB zoning and has access to public water and sewer from surrounding streets.					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2035	PB to CB	Approved 2/19/1996	Directly North	2.35	Approval	Approval
W-2323	LO to CB	Approved 7/6/1999	Directly South across Salem Parkway	0.52	Approval	Approval

<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>Average Daily Trip Count</b>	<b>Capacity at Level of Service D</b>
South Cherry	Minor Thoroughfare	296 feet	3,800	15,800
South Marshall	Minor Thoroughfare	210 feet	6,500	15,800
First Street	Minor Thoroughfare	214 feet	5,000	13,800
<b>Proposed Access Point(s)</b>	The site is currently accessed by two entrances along South Cherry Street and one on South Marshall Street. As a site plan is not required for General Use requests, staff is unable to determine if any future changes in access are proposed.			
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: LO</u> Offices (current use) 10,383 combined building SF/1000 x 11.57 (Single Tenant Office Building rate) = 120 trips per day</p> <p><u>Proposed Zoning: CB</u> Staff is unable to estimate trip generation for the proposed zoning because it is a General Use request.</p>			
<b>Sidewalks</b>	Sidewalks exist along all frontages of South Cherry Street, South Marshall Street, and First Street.			
<b>Transit</b>	Multiple WSTA transit routes run along the surrounding streets.			
<b>Transportation Impact Analysis (TIA)</b>	A TIA is not required for this request.			
<b>Analysis of Site Access and Transportation Information</b>	The site is located within the Downtown area, which is well-served by transit and sidewalks. Accordingly, the CB Zoning District has no minimum parking requirements.			
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>				
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 1 – Center City			
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• Encourage redevelopment and reuse of existing sites and buildings that are compatible and complementary with the surrounding area.</li> <li>• Promote compatible infill development that fits with the context of its surroundings.</li> <li>• Encourage retention over replacement of historic structures.</li> </ul>			

<b>Relevant Area Plan(s)</b>	<i>Downtown Plan (2013)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>The area plan recommends mixed-use development for the site.</li> </ul>
<b>Site Located Along Growth Corridor?</b>	The site is not located along a growth corridor.
<b>Site Located within Activity Center?</b>	The site is not located within an activity center.
<b>Comprehensive Transportation Plan Information</b>	First Street is actively being reconstructed to allow for two-way traffic.
<b>Other Applicable Plans and Planning Issues</b>	Any changes to Local Historic Landmark properties on-site will require a COA.
<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<b>Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>Is the requested action in conformance with <i>Legacy 2030</i>?</b>
	Yes
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>The request would rezone a 1.3 acre developed site from LO to CB. The site is in an urban setting surrounded by other offices and businesses.</p> <p>The site is in an established, mixed-use setting in the southern part of Downtown, surrounded on three sides by other CB zoning.</p> <p>The <i>Downtown Plan</i> recommends mixed-use development for the subject parcels. The proposed CB District is consistent with this recommendation in that it allows for business, residential, and institutional land uses within an urban, pedestrian-oriented context.</p>
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>	
<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The proposed CB zoning is consistent with the recommendations of the <i>Downtown Plan</i> and <i>Legacy 2030</i> .	The CB district does not require any minimum parking on-site. Depending upon how the property is developed, some parking may need to take place off-site.
The site is in a pedestrian-oriented area well served by transit and sidewalks.	
The site is surrounded on three sides by existing CB zoning.	
The proposed CB zoning will allow more development flexibility on the subject property than is permitted by existing zoning.	

**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.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3549  
NOVEMBER 10, 2022**

Marc Allred presented the staff report.

**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: George Bryan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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Chris Murphy, AICP/CZO  
Director of Planning and Development Services