

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3629
Staff	Nick Smith
Petitioner(s)	Richard Dillard
Owner(s)	Same
Subject Property	A portion of PIN 6832-36-8532
Address	4736 S. Main Street
Type of Request	Special Use Limited Use Rezoning
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 HB-L (Highway Business - Limited Use).</p> <p>The petitioner is requesting the following uses: Animal Shelter, Public; Arts and Crafts Studio; Banking and Financial Services; Building Contractors, General; Building Materials Supply; Car Wash; Child Care, Drop-In; Club or Lodge; Convenience Store; Food or Drug Store; Fuel Dealer; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hotel or Motel; Institutional Vocational Training Facility; Kennel, Indoor; Library, Public; Micro-Brewery or Micro-Distillery; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Storage Yard; Motorcycle Dealer; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices; Outdoor Display Retail; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services, A; Services, B; Signs, Off-Premises; Special Events Center; Storage Services, Retail; Testing and Research Lab; Theater, Indoor; Transmission Tower; Urban Agriculture; Utilities; Veterinary Services; Warehousing; Adult Day Care Center; Child Care, Sick Children; and Child Day Care Center.</p> <p>NOTE: General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.</p>
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.
Zoning District Purpose Statement	The HB district is primarily intended to accommodate retail, service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or

	which cater primarily to passing motorists. However, the district is not intended to encourage or accommodate strip commercial development. Developments in this district generally have substantial front setbacks. This district is intended for application in GMAs 2, 3, and 4.		
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 subject property is located within GMA 3 and has direct access to a minor thoroughfare. The petitioner is asking for commercial uses which are compatible with the character of the surrounding mixture of commercial and industrial land uses along this section of South Main Street.		
GENERAL SITE INFORMATION			
Location	On the south side of South Main Street, southwest of the South Main Street interchange with Highway 285.		
Jurisdiction	Winston-Salem		
Ward	Southeast		
Site Acreage	± 2.70 acres		
Current Land Use	An unoccupied single-family home is currently on the site.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	HB & LI	Motor vehicle repair and maintenance, warehousing, and a single-family home
	South	RS9	Single-family homes
	East	HB	Motor vehicle repair and maintenance and restaurant without drive-through
	West	HB	Single-family homes and storage services, retail
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?		
	The proposed uses are generally compatible with the nearby commercially-zoned parcels that are oriented towards S. Main Street. The parcels to the north and west of the site contain nonconforming single family homes within HB zoning. The single-family residential uses to the south are physically separated from this site due to Soakas Creek.		
Physical Characteristics	This site currently contains an unoccupied single-family home. The site has a twenty-foot descent in elevation from the northern property line to Soakas Creek, the southern boundary of the rezoning request.		
Proximity to Water and Sewer	The site has access to public water and public sewer along South Main Street. A sewer force main traverses the southern portion of the subject property, approximately where the Soakas Creek flood zone ends.		

Stormwater/ Drainage	Staff is not aware of any existing stormwater issues at this location. The Soakas Creek floodplain encompasses approximately the southern third of the site.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The subject property currently contains a single-family dwelling and has access to public water and sewer. The topography of the northern portion of the property is not expected to significantly limit its development potential. However, the southern portion of the property contains the Soakas Creek floodplain and a sewer force main that may limit future development here. The site is not located in a water supply watershed.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3520	GB to LI-L	Approved 06/06/2022	Northeast 900 feet	10.88	Approval	Approval
W-2633	HB to GB	Approved 09/02/2003	Northwest 900 feet	2.96	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Street Maintenance	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
S. Main Street	Minor Thoroughfare	WSDOT	331 feet	4,200	15,300	
Proposed Access Point(s)	Because this is a Limited Use rezoning request with no site plan, the exact location of future access points is unknown.					
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RS9</u> 117,612 sqft. of zoning lot area ÷ 9,000 sqft. minimum zoning lot area × 9.57 trips per day per unit (Single family detached housing) = 125.06 trips per day</p> <p><u>Proposed Zoning: HB-L</u> Trip generation is unavailable for the proposed Limited Use rezoning request as it does not include a site plan.</p>					
Sidewalks	Sidewalks do not currently exist along the site frontage. The adopted Comprehensive Transportation Plan calls for sidewalks along one side of this section of South Main Street.					
Transit	Public transit does not operate in the surrounding area.					
Analysis of Site Access and Transportation Information	Staff does not anticipate any significant transportation impacts related to this request.					

CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 3 – Suburban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Promote land use compatibility through good design and create a healthy mix of land uses in proximity to one another. Move away from the separating and buffering of some land uses and toward transitioning and blending those uses. • Promote new, convenient, commercial and business services to support neighborhood needs. • Protect planned industrial areas by following the recommendations of the Planning Department’s industrial sites study, area plans, and other development guides.
Relevant Area Plan(s)	<i>South Suburban Area Plan Update (2018)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The proposed land use map for the subject property recommends commercial land uses. • Commercial development should be concentrated in designated areas and not allowed to take the form of strip development along the major roads in the planning area.
Site Located Along Growth Corridor?	The site is not located along a Growth Corridor.
Site Located within Activity Center?	The site is not located within an 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 Legacy 2030?
	Yes.
Analysis of Conformity to Plans and Planning Issues	<p>This request would rezone approximately 2.70 acres from RS9 to HB-L. The site lies between adjacent HB zoning to the east and west, and HB- and LI-zoned property to the north. Nearby parcels zoned RS9, including the remainder of the subject property, are separated from the subject property by floodplain and are oriented away from S. Main Street.</p> <p><i>Legacy</i> recommends encouraging commercial land uses at appropriate locations. The site is located near a busy interchange with Highway 52 and is within an area that has existing commercial and industrial uses. The request is consistent with the recommendations of the <i>South</i></p>

	<i>Suburban Area Plan Update</i> and does not include any of the area south of Soakas Creek which is recommended for future industrial land uses.	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal	Negative Aspects of Proposal	
The request conforms to the recommendations of <i>Legacy 2030</i> and the <i>South Suburban Area Plan Update</i> .	This Limited Use rezoning request does not contain a site plan, so all potential development impacts on the surrounding area cannot be considered at this time.	
The request would rezone the subject property to a zoning district which is compatible with adjacent land uses.		
South Main Street has the capacity to support a significant number of additional trips per day.		

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-3629
SEPTEMBER 12, 2024**

Bryan Wilson 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: Brenda Smith

VOTE:

FOR: Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae,
Salvador Patiño, Lindsey Schwab, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Brenda Smith

VOTE:

FOR: Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae,
Salvador Patiño, Lindsey Schwab, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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