

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3522
Staff	Amy McBride
Petitioner(s)	Brenda K. Akin
Owner(s)	Same
Subject Property	PIN 6829-21-9378
Address	6105 University Parkway
Type of Request	Special Use Limited rezoning from RS9 to LB-L
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential Single Family) to LB-L (Limited Business). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Animal Shelter, Public; Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Car Wash; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Combined Use; Food or Drug Store; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Kennel, Indoor; Library, Public; Limited Campus Uses; Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Motorcycle Dealer; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services, A; Shopping Center, Small; Special Events Center; Urban Agriculture; Utilities; Veterinary Services; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; School, Private; School, Public; Access Easement, Private Off-Site; and Storage Services, Retail
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.
Zoning District Purpose Statement	The LB District is primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods, including smaller business locations up to ten (10) acres in size in rural areas. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so that this district, in some instances, may serve as a transition between residential districts and other commercial districts. This district is intended for application in GMAs 2, 3, 4, and 5.

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 located within GMA 3 along a boulevard (major thoroughfare). The surrounding area is a mix of commercial businesses, multifamily residential and single-family residential.					
GENERAL SITE INFORMATION						
Location	Northeast corner of University Parkway and Coral Drive					
Jurisdiction	Winston-Salem					
Ward(s)	Northeast					
Site Acreage	± 0.77 acre					
Current Land Use	The developed site contains a 5,600-square foot building currently used for a retail business.					
Surrounding Property Zoning and Use	Direction	Zoning District			Use	
	North	RS9			Single-family home and triplex	
	South	HB			Motor vehicle repair shop	
	East	RS9			Single family homes	
	West	LB			Restaurant, gas station and convenience store	
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 commercial uses are compatible with the commercial uses allowed on many of the surrounding properties.					
Physical Characteristics	The site is slightly elevated from University Parkway and Coral Drive. The site is generally flat and mostly consists of impervious surfaces in the western and southern portions. One large tree is located toward the eastern property line, but the site has no additional significant vegetation.					
Proximity to Water and Sewer	The site has access to public water and sewer from University Parkway.					
Stormwater/ Drainage	No known issues exist for this site.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The developed site contains a mid-size commercial building constructed in 1963, which has been utilized for commercial uses since. The site has favorable topography but hardly any vegetation to speak of.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3496	LB-L and RS9 to HB-S	Approved 11/1/2021	Approximately 518 feet north	1.91	Approval	Approval
W-3489	RS9 and LB-S to HB-S	Approved 10/4/2021	Approximately 470 feet south	2.34	Denial	Approval
W-3212	RS9 to RM8-S	Approved 5/5/2014	Approximately 205 feet east	13.19	Approval	Approval

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
University Parkway	Boulevard	130 feet	21,000	38,100
Coral Drive	Local Street	263 feet	N/A	N/A
Proposed Access Point(s)	Primary access to the site is currently provided by a driveway from University Parkway the connects to the rear of the property and Coral Drive. Because this is a Limited Use request with no site plan, alternative or future access cannot be determined.			
Planned Road Improvements	There are no road improvements proposed in conjunction with this request.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning:</u> RS9 5,600 sf retail building/1000 x 5.06 (furniture store trip generation) = 28.34 trips per day</p> <p><u>Proposed Zoning:</u> LB-L Trip generation is unavailable for the proposed Limited Use request as it does not include a site plan.</p>			
Sidewalks	There are currently no sidewalks on either side of this section of University Parkway.			
Transit	WSTA Route 97 stops at the intersection of East Hanes Mill Road and Summit Square Boulevard, approximately 1,200 feet southeast.			
Transportation Impact Analysis (TIA)	A TIA is not required.			
Analysis of Site Access and Transportation Information	<p>The site has frontage along University Parkway, which is classified as a boulevard. A transit stop is available a quarter mile southeast of the site at the intersection of East Hanes Mill Road and Summit Square Boulevard. Sidewalks do not exist along this section of University Parkway.</p> <p>Being a corner lot, the site has good visibility and access for any potential commercial uses.</p>			
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"> • Concentrate development within the serviceable land area of Forsyth County with the highest intensities at city/town center, activity centers and along growth corridors • Ensure activity centers’ compatibility with the scale and character of the surrounding neighborhood. 			

	<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.
Relevant Area Plan(s)	<i>North Suburban Area Plan Update (2014)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> The Proposed Land Use Map recommends commercial use of the property. The adjacent property north of the subject property is shown as being suitable for a change from residential to office use. Focus commercial and industrial development in planned commercial/industrial areas and activity centers where transportation and utilities exist or are planned. Rezone land for business/industrial development in a manner consistent with the recommended Proposed Land Use Map. Encourage and support the redevelopment/rehabilitation of existing older/underutilized commercial and industrial sites.
Site Located Along Growth Corridor?	The subject property is situated along the University Parkway Growth Corridor.
Site Located within Activity Center?	The subject property is within the University/Hanes Mill Activity Center.
Rezoning Consideration from Section 3.2.19 A 16	Have changing conditions substantially affected the area in the petition?
	Yes. The site is in close proximity to two large transportation projects: the Northern Beltway project to the north and the Hanes Mill Road improvement project to the south. These two factors have changed the projection of the <i>North Suburban Area Plan</i> in this respect.
	Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>This request would rezone approximately .77 acre on the east side of University Parkway at its intersection with Coral Drive. The site is currently zoned RS9, and the existing commercial building constructed in 1963 is a legal nonconforming use. Since its construction, this building has been used for commercial purposes and has received several approvals from the Zoning Board of Adjustment for nonconforming uses.</p> <p>The <i>North Suburban Area Plan</i> recommends commercial uses for the site. This rezoning would allow for uses that are more consistent with the existing commercial zoning pattern along University Parkway, especially within the context of the major transportation projects in the immediate vicinity.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed zoning would limit uses that are not consistent with the nearby properties currently zoned LB, HB, RM8-S and RS9.	Because the property is legally nonconforming, rezoning would expand the list of commercial uses that could be permitted on the site.
The building has a history of commercial use prior to the current UDO, <i>Legacy</i> and the <i>North Suburban Area Plan</i> .	
The request is consistent with the area plan's land use recommendation.	Certain uses included in the request could have negative traffic impacts in the future.
The request is consistent with the zoning pattern in the area, especially within the context of the major transportation projects in the immediate vicinity.	

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-3522
April 20, 2022**

Desmond Corley 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: Walter Farabee

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Brenda Smith

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Walter Farabee

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Brenda Smith

AGAINST: None

EXCUSED: None

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