

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

PETITION INFORMATION			
Docket	W-3648		
Staff	<a href="#">Rory Howard</a>		
Petitioner(s)	Martin Mariche Garcia, Martha Beatrix Ayala, Juan Carlos Mariche Ayala, and Shannon Amanda Tinsley		
Owner(s)	Same		
Subject Property	PIN 6844-14-3564		
Address	1200 East Clemmons ville Road		
Type of Request	Special Use Limited District Rezoning		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> NB-S (Neighborhood Business – Special Use) <b>to</b> NB-L (Neighborhood Business – Limited Use). The petitioner is requesting the following uses: Restaurant (without drive-through service), Retail Store, and Services, A.</p> <p><b>NOTE:</b> General, Special Use Limited, and Special Use 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 NB District is primarily intended to accommodate very low intensity office, retail, and personal service uses close to or within residential areas. The district is established to provide convenient locations for businesses which serve the everyday household needs of nearby residents without disrupting the character of the neighborhood. This district is intended for application in GMAs 2, 3, 4, and 5.		
Rezoning Consideration from Section 3.2.19 A 16	<b>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes, the proposal is consistent with the district’s purpose, as it seeks to provide low intensity, neighborhood serving uses in GMA 2.		
GENERAL SITE INFORMATION			
Location	Northeast intersection of East Clemmons ville Road and Peachtree Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	Southeast		
Site Acreage	± 0.26 acres		
Current Land Use	Retail Store		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS9	Single-family homes
	South	RS9	Single-family homes
	West	RS9	Services, A
	East	RS9	Single-family homes

<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>					
	While the proposed Restaurant (without drive-through service), Retail Store, and Services, A uses are more intense than the surrounding residential uses, the Neighborhood Business District is intended to accommodate low-intensity retail uses that are easily accessible and serve surrounding residential areas.					
<b>Physical Characteristics</b>	The site contains an existing 1,276 square foot building with associated parking.					
<b>Proximity to Water and Sewer</b>	The site has access to public water and public sewer along both East Clemmons ville Road and Peachtree Street.					
<b>Stormwater/ Drainage</b>	There are no known stormwater/drainage issues on the site.					
<b>Watershed and Overlay Districts</b>	The site is not located within a watershed or overlay district.					
<b>Analysis of General Site Information</b>	The subject request involves rezoning 0.26 acres of land located at the northeast corner of East Clemmons ville Road and Peachtree Street from NB-S to NB-L for the uses Restaurant (without drive-through service), Retail Store, and Services, A. The site is developed with an existing 1,276-square-foot retail building and associated parking. It is surrounded by single-family homes and has access to public utilities.					
<b>RELEVANT ZONING HISTORIES</b>						
<b>Case</b>	<b>Request</b>	<b>Decision &amp; Date</b>	<b>Direction from Site</b>	<b>Acreage</b>	<b>Recommendation</b>	
					<b>Staff</b>	<b>CCPB</b>
W-3162	PB-S Site Plan Amendment	Approved 12/3/2012	North	1.12	Approval	Approval
W-2971	RS9 to PB-S	Approved 5/5/2008	North	0.23	Approval	Approval
W-2286	RS9 to NB-S	Approved 1/4/1999	Subject Property	0.26	Approval	Approval
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>						
<b>Street Name</b>		<b>Classification</b>	<b>Street Maintenance</b>	<b>Frontage</b>	<b>Average Daily Trip Count</b>	<b>Capacity at Level of Service D</b>
East Clemmons ville Road		Minor Thoroughfare	WSDOT	74.4’	12,000	13,800
Peachtree Street		Local Street	WSDOT	106.9’	N/A	N/A
<b>Proposed Road Improvements</b>		No road improvements are proposed as a part of this request.				

<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: NB-S</u> 1,276 sf/1,000 sf x 54.45 (General Retail Store Trip Generation Rate) = <b>69.5 Trips per Day</b></p> <p><u>Proposed Zoning: NB-L</u> 1,276 sf/ 1,000 sf x 450.49 (Fast Food Restaurant w/o Drive Thru Trip Generation Rate) = <b>575 Trips per Day</b></p>
<b>Sidewalks</b>	There are public sidewalks along both frontages of the subject property.
<b>Transit</b>	WSTA Routes 86 and 108 stop at the intersection of East Clemmonsville Road and Thomasville Road, approximately 1,150 feet west of the subject property.
<b>Analysis of Site Access and Transportation Information</b>	The site is accessible from both a minor thoroughfare and a local street. Public transit and sidewalks serve the subject property.
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Forward 2045 Growth Management Area</b>	Growth Management Area 2 – Urban Neighborhoods
<b>Relevant Forward 2045 Recommendations</b>	<ul style="list-style-type: none"> <li>• Prioritize neighborhood-serving uses, such as cafés, medical offices, and grocery stores, instead of large-scale commercial uses, near residential areas.</li> <li>• Redevelop underutilized properties for economic development.</li> <li>• Support small businesses and startups.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>Southeast Winston-Salem Area Plan Update (2013)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• The subject property is within a Special Land Use Condition Area (SLUCA), which recommends maintaining the existing commercial use, but not expanding it.</li> <li>• This plan recommends the consolidation of commercial uses at existing commercial locations.</li> <li>• Office and low-intensity commercial uses (including Restaurant without drive-through service, Retail Store, and Services, A) provide services to area residents, often with minimal negative impacts on adjacent residential uses.</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.

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>Forward 2045</i> ?	
	Yes	
Analysis of Conformity to Plans and Planning Issues	The request is to rezone an approximately 0.26-acre site from NB-S to NB-L to allow for increased development flexibility and to add uses which were not included in the original 1999 NB-S rezoning of the site (W-2286). The petitioner seeks to develop a Restaurant (without drive-through service) use on the already-developed site. The requested NB-L district provides greater redevelopment flexibility than the current NB-S designation, which permanently ties development to a twenty-six year old site plan.	
	The NB district encourages low-intensity, neighborhood serving uses near residential areas. The <i>Southeast Winston-Salem Area Plan Update</i> (2013) recommends consolidating commercial uses at existing commercial locations, such as the subject property. The request also aligns with the general goals of <i>Forward 2045</i> by promoting the redevelopment of underutilized properties for small business development.	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
The request is consistent with the recommendations of both <i>Forward 2045</i> and the <i>Southeast Winston-Salem Area Plan Update</i> .		The request could potentially increase traffic along East Clemmonsville Road and Peachtree Street.
The request would allow increased flexibility in using an underutilized property for small business activity.		
The request would provide services to nearby residents with minimal negative impacts.		

**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-3648 JUNE 12, 2025**

Rory Howard presented the staff report.

## **PUBLIC HEARING**

FOR:

Juan Mariche, petitioner and property owner.

- Mr. Mariche provided a brief overview of the rezoning request.

Shannon Amanda Tinsley, petitioner and property owner.

- Ms. Tinsley provided a statement from a neighbor supporting the proposed rezoning request.

Phillip Summers

- Mr. Summers provided his support for the rezoning request.

AGAINST:

Sharon Diane Wright

- Ms. Wright expressed her concerns about the proposed rezoning notification letters to neighboring property owners. Ms. Wright spoke of other concerns which include traffic, noise, garbage, and smells of the food truck.

Joyce Bowles

- Ms. Bowles stated her concerns with the proposed rezoning request noting that people who use the food truck leave trash in the area and the site produces traffic, noise, and smells.

Dr. Dennis Bishop

- Dr. Bishop, a local pastor, stated his concerns regarding the proposed rezoning request on behalf of some community members.

John Contos

- Mr. Contos also stated his opposition and summarized his experiences as a past business owner in the area.

### **WORK SESSION**

Mr. Lambe inquired about the parking limitations of the current structure on the site, to which Mr. Murphy and Mr. Ericson responded by clarifying the requested uses and their associated parking requirements. Board members and staff engaged in a discussion regarding the current and proposed uses. Board members noted that the proposed uses would be beneficial for both neighborhood residents and business owners, and opportunities for conversation and collaboration between the two groups should be fostered.

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

SECOND: Jason Grubbs

VOTE:

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

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning amendment.

SECOND: Jason Grubbs

VOTE:

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

AGAINST: None

EXCUSED: None

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