

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

| <b>PETITION INFORMATION</b>              |   |
|--|---|
| <b>Docket</b>                            | W-3469  |
| <b>Staff</b>                             | <a href="#">Bryan D. Wilson</a>   |
| <b>Petitioner(s)</b>                     | Beroth Oil Company  |
| <b>Owner(s)</b>                          | Same  |
| <b>Subject Property</b>                  | PIN 6827-72-3724  |
| <b>Address</b>                           | 450 Polo Road   |
| <b>Type of Request</b>                   | Special Use rezoning from HB-S to RM12-S  |
| <b>Proposal</b>                          | <p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> HB-S (Highway Business – Special Use) <b>to</b> RM12-S (Residential, Multifamily – 12 units per acre maximum density – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Adult Day Care Home; Bed and Breakfast; Boarding or Rooming House; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Family Group Home A; Habilitation Facility A; Habilitation Facility B; Library, Public; Nursing Care Institution; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Swimming Pool, Private; Transmission Tower; Child Day Care, Large Home; Church or Religious Institution, Community; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Limited Campus Uses; Planned Residential Development; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Utilities; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Habilitation Facility C; Park and Shuttle Lot; Urban Agriculture; Access Easement, Private Off-Site; and Parking, Off-Site, for Multifamily or Institutional Uses</li> </ul> |
| <b>Neighborhood Contact/Meeting</b>      | A summary of the petitioner’s neighborhood outreach is attached.  |
| <b>Zoning District Purpose Statement</b> | The RM12 District is primarily intended to accommodate multifamily uses at a maximum overall density of twelve (12) units per acre. This district is appropriate for GMAs 1, 2, and 3 and may be suitable for Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available.  |

| <b>Rezoning Consideration from Section 3.2.15 A 13</b> | <b>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>  |                        |                       |         |                                 |          |
|--|---|------------------------|-----------------------|---------|---------------------------------|----------|
|  | Yes. The request proposes a multifamily residential density of less than twelve (12) units per acre, and the site is located within GMA 2 along a minor thoroughfare.             |                        |                       |         |                                 |          |
| <b>GENERAL SITE INFORMATION</b>                        |   |                        |                       |         |                                 |          |
| <b>Location</b>  | South side of Polo Road, between North Cherry Street and Dalton Street  |                        |                       |         |                                 |          |
| <b>Jurisdiction</b>                                    | Winston-Salem   |                        |                       |         |                                 |          |
| <b>Ward(s)</b>   | North   |                        |                       |         |                                 |          |
| <b>Site Acreage</b>                                    | ± 3.95 acres  |                        |                       |         |                                 |          |
| <b>Current Land Use</b>                                | The site is largely undeveloped, with an un-maintained parking area along the Polo Road frontage.   |                        |                       |         |                                 |          |
| <b>Surrounding Property Zoning and Use</b>             | <b>Direction</b>  | <b>Zoning District</b> |                       |         | <b>Use</b>                      |          |
|  | North   | LI-S                   |                       |         | NCDOT Traffic Services          |          |
|  | East  | RS9                    |                       |         | Church and a single-family home |          |
|  | South   | RS9                    |                       |         | Single-family homes             |          |
|  | West  | RS9 and HB             |                       |         | Undeveloped commercial property |          |
| <b>Rezoning Consideration from Section 3.2.15 A 13</b> | <b>Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>                                  |                        |                       |         |                                 |          |
|  | Yes. The proposed multifamily use is a more compatible transitional use against the adjacent single-family homes than the approved commercial zoning.                             |                        |                       |         |                                 |          |
| <b>Physical Characteristics</b>                        | The primarily wooded site slopes downward to the southwest. An un-maintained parking area runs along the frontage of Polo Road in the northern portion of the site.               |                        |                       |         |                                 |          |
| <b>Proximity to Water and Sewer</b>                    | Public water and sewer are available in the rights-of-way for Polo Road and McCanless Street. Per the proposed site plan, water and sewer will be accessed from McCanless Street. |                        |                       |         |                                 |          |
| <b>Stormwater/ Drainage</b>                            | Underground stormwater control measures are proposed in the southern portion of the site. A stormwater management study will be required.   |                        |                       |         |                                 |          |
| <b>Watershed and Overlay Districts</b>                 | The site is not located within a water supply watershed.  |                        |                       |         |                                 |          |
| <b>Analysis of General Site Information</b>            | The largely undeveloped site has generally favorable topography for development. The site does not contain any flood zones or known perennial or intermittent streams.            |                        |                       |         |                                 |          |
| <b>RELEVANT ZONING HISTORIES</b>                       |   |                        |                       |         |                                 |          |
| Case   | Request   | Decision & Date        | Direction from Site   | Acreage | Recommendation                  |          |
|  |   |                        |                       |         | Staff                           | CCPB     |
| W-1762   | I-2 and R4 (LI and RS9) to B-3-S (HB-S) Two-Phase   | Approved 5/4/1992      | Includes current site | 3.92    | Approval                        | Approval |

| SITE ACCESS AND TRANSPORTATION INFORMATION                    |  |                 |  |                                |
|---|--|-----------------|--|--------------------------------|
| Street Name   | Classification   | Frontage        | Average Daily Trip Count                 | Capacity at Level of Service D |
| Polo Road   | Minor Thoroughfare   | 478 feet        | 7,000                                    | 15,800                         |
| McCanless Street  | Local Street   | 360 feet        | N/A                                      | N/A                            |
| <b>Proposed Access Point(s)</b>                               | The proposed development will have two access points – one centered along the frontage with Polo Road, and the other aligned with May Street along the McCanless Street frontage.  |                 |  |                                |
| <b>Planned Road Improvements</b>                              | The 2012 <i>Comprehensive Transportation Plan</i> recommends sidewalks along both sides of Polo Road.  |                 |  |                                |
| <b>Trip Generation - Existing/Proposed</b>                    | <p><u>Existing Zoning: HB-S</u><br/>           (18,900 SF office/1000 x 11.01 = 208 trips per day) +<br/>           (6,300 SF warehouse/1000 x 3.56 = 22 trips per day)<br/>           = <b>230 total trips per day</b></p> <p><u>Proposed Zoning: RM12-S</u><br/>           43 units x 6.65 (apartment trip rate) = 286 trips per day</p> |                 |  |                                |
| <b>Sidewalks</b>  | Sidewalk is located on the opposite side of Polo Road and will be required along the frontage of the subject property.   |                 |  |                                |
| <b>Transit</b>  | WSTA Route 89 has a stop location approximately 300 feet west, at the intersection of Polo Road and North Cherry Street.   |                 |  |                                |
| <b>Connectivity</b>   | The proposed site plan depicts two private entrance drives that will be accessed from Polo Road and McCanless Street.  |                 |  |                                |
| <b>Transportation Impact Analysis (TIA)</b>                   | A TIA is not required.   |                 |  |                                |
| <b>Analysis of Site Access and Transportation Information</b> | Primary access to the site is proposed from Polo Road, which has ample capacity. The developer will be required to install sidewalk along the Polo Road and McCanless Street frontages. The site is within a quarter-mile walk to a bus stop.  |                 |  |                                |
| SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS                    |  |                 |  |                                |
| <b>Building Square Footage</b>                                | <b>Square Footage</b>  |                 | <b>Placement on Site</b>                 |                                |
|   | 24,829 SF total (18 buildings)   |                 | Along Polo Road and internal to the site |                                |
| <b>Units (by type) and Density</b>                            | 43 townhome units on 3.86 acres = 11.14 units per acre   |                 |  |                                |
| <b>Parking</b>  | <b>Required</b>  | <b>Proposed</b> | <b>Layout</b>                            |                                |
|   | 98 spaces  | 156 spaces      | 90-degree head-in                        |                                |
| <b>Building Height</b>  | <b>Maximum</b>   |                 | <b>Proposed</b>                          |                                |
|   | 45 feet  |                 | Three stories                            |                                |
| <b>Impervious Coverage</b>                                    | <b>Maximum</b>   |                 | <b>Proposed</b>                          |                                |
|   | 80 percent   |                 | 60 percent                               |                                |

|   |   |     |
|---|---|-----|
| <b>UDO Sections Relevant to Subject Request</b>               | <ul style="list-style-type: none"> <li>• Section 4.5.13: RM12 Residential, Multifamily District</li> <li>• Section 5.2.71: Residential Building, Multifamily; Townhouse; or Twin Home (use-specific standards)</li> </ul>   |     |
| <b>Complies with Section 3.2.11</b>                           | <b>(A) Legacy 2030 policies:</b>  | Yes |
|   | <b>(B) Environmental Ordinance</b>  | N/A |
|   | <b>(C) Subdivision Regulations</b>  | N/A |
| <b>Analysis of Site Plan Compliance with UDO Requirements</b> | <p>The proposed site plan depicts 13 buildings consisting of three-story townhome flats along Polo Road and internal to the site. Four two-story townhomes are shown closer to McCanless Street. The proposed site plan also shows a pool and clubhouse with an enhanced bufferyard along McCanless Street. This area meets the minimum common recreation area requirement for the use.</p> <p>The site is also located within Growth Management Area (GMA) 2. Additional GMA requirements include orienting building entrances towards the street with parking internal to the site. The proposed plan addresses the intent of these requirements, while also maintaining appropriate building scale and activity separation from the single-family neighborhood to the south.</p> |     |
| <b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>                |   |     |
| <b>Legacy 2030 Growth Management Area</b>                     | Growth Management Area 2 - Urban Neighborhoods  |     |
| <b>Relevant Legacy 2030 Recommendations</b>                   | <ul style="list-style-type: none"> <li>• Encourage reuse of vacant and underutilized commercial and industrial sites.</li> <li>• Ensure appropriate transitional land uses or physical buffering between residential and nonresidential uses to maintain the character and stability of neighborhoods.</li> </ul>   |     |
| <b>Relevant Area Plan(s)</b>                                  | <i>North Suburban Area Plan Update (2014)</i>   |     |
| <b>Area Plan Recommendations</b>                              | The area plan recommends commercial use of the site.  |     |
| <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>          | The CTP recommends additional widening and sidewalk along Polo Road and McCanless Street.   |     |
| <b>Other Applicable Plans and Planning Issues</b>             | The <i>Polo Road/North Cherry Street Community Enhancement Workshop Report (2014)</i> described in the area plan recommends townhouse development in the general vicinity of the subject property.  |     |

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|--|---|
| <b>Rezoning Consideration from Section 3.2.15 A 13</b>   | <b>Have changing conditions substantially affected the area in the petition?</b>  |
|  | No. The site remains largely undeveloped.   |
|  | <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 is to rezone a 3.95-acre tract from HB-S to RM12-S to accommodate 43 townhomes. The proposed density would be 11.14 dwelling units per acre.</p> <p>The <i>North Suburban Area Plan Update</i> recommends commercial land use at this location, which is reflective of the earlier rezoning approval that established commercial zoning on the site in 1992. The <i>Polo Road/North Cherry Street Community Enhancement Workshop Report</i> (2014) designated this site as an opportunity area for redevelopment that includes multifamily units.</p> <p>The site has good access to multimodal transportation, and the proposed building locations and massing are sensitive to the single-family homes to the south. The developer has also proposed additional plantings along the McCanless street frontage. The proposed buildings along Polo Road provide a pedestrian-friendly streetscape with parking located internal to the site.</p> <p><i>Legacy 2030</i> encourages the reuse of vacant and underutilized commercial and industrial sites. <i>Legacy 2030</i> also recommends the appropriate location of transitional land uses to maintain the character and stability of neighborhoods. This request provides a needed variety of housing types that is generally compatible with the area.</p> |
| <b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>   |   |
| <b>Positive Aspects of Proposal</b>  | <b>Negative Aspects of Proposal</b>   |
| The proposal would provide needed “missing middle” housing in an appropriate location.   | The proposed use would have slightly more traffic generation than the current zoning.   |
| The proposal would redevelop a vacant commercial site.   |   |
| The site is located near a transit stop and will have access to sidewalks and dedicated bicycle lanes. The site is ideally situated near major employment and education centers. |   |

**SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
  - a. Developer shall submit a stormwater study that shall consist of providing stormwater control measures to treat both quality and quantity of runoff. In addition to meeting all of the post-construction stormwater management ordinance design standards for quality and quantity, the developer must also manage the 50-year peak storm event. The outlet(s) of the stormwater control measures shall incorporate a 30-foot-long level spreader and 30-foot-long by 30-foot-wide engineered vegetated filter strip to provide diffuse flow and to further protect downstream properties against any adverse impacts. No portion of the engineered vegetated filter strip shall be allowed to encroach into an adjacent bufferyard.
  - b. Developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of the driveway permit(s). Required improvements include:
    - Widening McCanless Street (with curb and gutter and sidewalk) along the entire frontage;
    - Dedicating required right-of-way along the entire Polo Road frontage; and
    - Construction of sidewalk along the entire Polo Road frontage.
  
- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
  - a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.
  
- **PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:**
  - a. Developer shall complete all requirements of the driveway permit(s).
  - b. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.

**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-3469  
MAY 13, 2021**

Desmond Corley presented the staff report.

George Bryan made the observation that this was like mixed-use development, with an institution on one side and commercial on the other. Aaron King added that we will likely see more rezoning cases similar to this, where commercial districts are converting to residential.

Melynda Dunigan indicated that she appreciated the design of this proposal, which shows less intrusive development on the neighborhood side.

**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, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition with revised stormwater conditions.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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Aaron King  
Director of Planning and Development Services