

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3632
Staff	Nick Smith
Petitioner(s)	K & V, LLC.
Owner(s)	Same
Subject Property	PIN 6827-62-9642
Address	4015 North Cherry Street
Type of Request	Special Use rezoning petition for a variety of uses in a GB-S zoning district.
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from HB (Highway Business) and RS9 (Residential, Single-Family – 9,000 square foot minimum lot size) to GB-S (General Business – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Banking and Financial Services • College or University • Offices • Restaurant (with drive-through service) • Restaurant (without drive-through service) • Retail Store • Services, A • Storage Services Retail, Internal Access
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.
Zoning District Purpose Statement	The GB District is primarily intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2, 3, and Metro Activity Centers.
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 major thoroughfare and the request includes a diverse mix of retail, service, and office uses. The site is located within a concentrated area of light-industrial and commercially-zoned property.

GENERAL SITE INFORMATION			
Location	At the southeast intersection of North Cherry Street and Polo Road		
Jurisdiction	Winston-Salem		
Ward	North		
Site Acreage	± 2.51 acres		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	LI-S	NCDOT Division 9 Field Operations
	East	RM12-S	Townhomes
	South	RS9	Single-family residential
	West	RS9 and HB	Single-family residential and commercial uses
Physical Characteristics	The site generally slopes downward from north to south. The site is currently rough-graded and will be further graded during the development process. A stand of trees exists along the southern and eastern property lines of the subject property.		
Proximity to Water and Sewer	Public water and public sewer are available along N. Cherry Street, Polo Road, and McCanless Street.		
Stormwater/ Drainage	One stormwater device is proposed for this development. It will be located in the southern portion of the site.		
Watershed and Overlay Districts	The site is not located within a water supply watershed or overlay district.		
Analysis of General Site Information	The site has a gradual southward slope, and the site plan proposes extensive grading. The property is proposed to be served by one stormwater management device and has direct access to public water and sewer.		

RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3305	GB to HB	Approved 11/07/2016	Northwest	2.19	Approval	Approval
W-2559	LI to HB	Approved 8/5/2002	Northeast	1.81	Approval	Approval

SITE ACCESS AND TRANSPORTATION INFORMATION					
Street Name	Classification	Street Maintenance	Frontage	Average Daily Trip Count	Capacity at Level of Service D
N. Cherry Street	Major Thoroughfare	NCDOT	410 feet	8,400	27,500
Polo Road	Minor Thoroughfare	NCDOT	173 feet	7,000	15,800
McCanless Street	Local Street	WSDOT	727 feet	N/A	N/A
Proposed Access Point(s)	The site plan proposes two access points: One on North Cherry Street and another on Polo Road. Both access points will offer full access to and from the site. No access points are proposed along McCanless Street.				
Proposed Road Improvements	Winston-Salem Department of Transportation (WSDOT) is requiring the dedication of seven-and-a-half (7.5) feet of additional public right-of-way along Polo Road and ten (10) feet of additional public right-of-way along North Cherry Street to meet Comprehensive Transportation Plan goals. No road improvements are proposed along McCanless Street.				
Trip Generation - Existing/Proposed	<p><u>Existing Trip Generation</u> Existing trip generation cannot be estimated as the site is currently undeveloped.</p> <p><u>Proposed Trip Generation</u></p> <ul style="list-style-type: none"> • GB-S: 91,575 sqft. building × 2.5 trips per day per 1,000 sqft. (Mini-Warehouse Trip Generation Rate) = 226.44 Trips per Day 				
Sidewalks	The site plan depicts new sidewalks along both the North Cherry Street and Polo Road frontages. These sidewalks will be connected with the two pedestrian walkways internal to the site. No sidewalks are proposed for the site's McCanless Street frontage.				
Transit	Winston-Salem Transit Authority (WSTA) Route 89 stops at both the southeast and northwest corners of the intersection of N. Cherry Street and Polo Road. WSDOT is requesting a concrete pad transit stop at the northwestern corner of the site to facilitate the future installation of a public transit shelter.				
Transportation Impact Analysis (TIA)	A TIA is not required for this development.				
Analysis of Site Access and Transportation Information	The site plan proposes two access points. The site will be developed with new sidewalks along the northern and western frontages to facilitate pedestrian access. No transportation improvements are proposed for the site's McCanless Street frontage. The estimated trip generation for the site can readily be accommodated by both Polo Road and North Cherry Street.				

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	90,575 square feet		Northern portion of the site
Parking	Required	Proposed	Layout
	Four (4) parking spaces required	Five (5) parking spaces provided	
	One (1) loading/unloading space required	One (1) loading/unloading space provided	
Building Height	Maximum		Proposed
	Sixty (60) feet		Thirty-six (36) feet
Impervious Coverage	Maximum		Proposed
	None		49.3%
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 4.6.10: General Business District • Section 5.2.89: Storage Service, Retail Use-Specific Standards • Chapter 6: Development Standards 		
Complies with Section 3.2.11	(A) Legacy 2030 policies:	Yes	
	(B) Environmental Ord.	N/A	
	(C) Subdivision Regulations	N/A	
Analysis of Site Plan Compliance with UDO Requirements	The proposed site plan shows one new retail storage building with associated access drives and parking. All required landscaping and bufferyards are shown. The site plan complies with all UDO requirements and the proposed elevations meet all use-specific conditions for storage services, retail – internal access.		
CONFORMITY TO PLANS AND PLANNING ISSUES			
Legacy 2030 Growth Management Area	Growth Management Area 2 - Urban 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. • Encourage quality infill development on both vacant land and redeveloped sites with an emphasis on conforming to the neighborhood’s existing character and scale. • Promote new, convenient, commercial and business services to support neighborhood needs. 		
Relevant Area Plan(s)	<i>North Suburban Area Plan Update (2014)</i> <i>Smith Reynolds Airport/Whitaker Park Strategic Area Plan (2020)</i>		
Area Plan Recommendations	<ul style="list-style-type: none"> • The proposed land use map for the subject property recommends commercial land uses. 		

	<ul style="list-style-type: none"> 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.
Analysis of Conformity to Plans and Planning Issues	<p>The request would rezone a dual-zoned property from RS9 and HB to GB-S to allow for a retail storage building with internal access. The site is prominently located at the intersection of a major and minor throughfare, within an area containing a wide array of land uses. The applicant is requesting other neighborhood-serving commercial uses in addition to the storage services, retail use shown on the site plan.</p> <p>The request is generally consistent with the recommendations of the <i>North Suburban Area Plan Update</i> and the <i>Smith Reynolds Airport/Whitaker Park Strategic Area Plan</i>, both of which recommend commercial land uses for this site. Overall, the proposed request furthers several of the policy goals of these adopted plans and the general policy goals of <i>Legacy 2030</i>.</p>
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request aligns with the land use recommendations of both the <i>North Suburban Area Plan Update</i> and the <i>Smith Reynolds Airport/Whitaker Park Strategic Area Plan</i>	The proposed retail storage use does not generate pedestrian activity at a location that is well-served by sidewalks and public transit.
The request proposes a low-intensity land use that is sensitive to adjoining properties on an underutilized vacant site.	
The request is generally consistent with the recommendations of <i>Legacy 2030</i> .	

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 THE ISSUANCE OF BUILDING PERMITS:**
 - a. A negative access easement along the site's McCanless Street frontage shall be recorded along with any dedication of public-right(s) of way.
 - b. The developer shall submit a stormwater management study for review by the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved. Relocation or installation of any stormwater management device into any buffer areas or existing vegetated areas designated to remain, or in close proximity to adjacent property with residential zoning, shall require a Staff Change approval at minimum and may require a Site Plan Amendment.
 - c. The developer shall cordon off all areas shown on the site plan as critical root zones for the Tree Save Area. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.
 - d. The developer shall obtain driveway permits from the City of Winston-Salem and NCDOT; additional improvements and dedication of additional right-of-way may be required prior to issuance of the driveway permits.
 - e. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.
 - f. Building elevations shall demonstrate that all public utilities and related facilities, heating, ventilation, and air conditioning (HVAC) units, including on-ground and rooftop mechanical systems, and dumpsters, are located and/or shielded so as to not be visible from any public rights-of-way.
 - g. Building elevations shall demonstrate that all dumpster screening consists of an opaque, six-foot high wall made of brick or brick veneer.
- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
 - a. The 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.
- **OTHER REQUIREMENTS:**
 - a. Freestanding signage shall be limited to one sign along Polo Road and one sign along Cherry Street, each with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet. Entrance and exit signs at the site's access points onto Polo Road and Cherry Street shall be allowed in accordance with UDO Section 6.5.1.E.7.
 - b. No freestanding signage shall be allowed within one hundred (100) feet of McCanless Street.

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-3632
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