

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3590
Staff	Nick Smith
Petitioner(s)	Gilberto Castro and Ismelda Ruiz
Owner(s)	Same
Subject Property	PIN 6836-06-7002
Address	2521 Collins Street
Type of Request	General Use Rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from HB-S (Highway Business – Special Use) to HB (Highway Business).</p> <p>The purpose of this rezoning request is to correct a mapping error that resulted in the subject property being incorrectly zoned HB-S as part of the zoning conversion accompanying the 1995 adoption of the Unified Development Ordinances (UDO).</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 site is located within GMA 2 and the site is well served by multimodal transit, nearby parks, and other governmental support services. However, the site is accessed via Collins Street, a local residential street, and is adjacent to single-family homes to the south.
GENERAL SITE INFORMATION	
Location	Southeast intersection of Twenty-Seventh Street and Collins Street.
Jurisdiction	Winston-Salem
Ward(s)	North
Site Acreage	± 0.22 acres
Current Land Use	The site is currently occupied by a single-family residential dwelling.

Surrounding Property Zoning and Use	Direction	Zoning District	Use			
	North	HB-S	Undeveloped property			
	South	RS7	Single-family dwelling			
	East	HB-S	Undeveloped property			
	West	HB-S	Office			
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 compatible with the office use to the west of the site. They are less compatible with the residential uses to the south.					
Physical Characteristics	This site is currently developed with a single-family dwelling and has frontage along Collins Street. The site gently slopes downwards towards the eastern property line.					
Proximity to Water and Sewer	The site has access to public water and sewer along Collins Street.					
Stormwater/ Drainage	Staff is not aware of any existing stormwater issues at this location.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	This site is currently developed with a single-family dwelling in an established neighborhood. While the Highway Business zoning district allows multiple high-intensity uses, the size of the subject property limits the viability of those uses at this location. The site is not located in a water supply watershed nor does it contain designated floodplain land.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1871	R-4 & B-3 to B-3-S	Approved 2/7/1994	West from subject property	0.99	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name		Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
Collins Street		Local Street	70 feet	N/A	N/A	
Proposed Access Point(s)		Because this is a General Use request with no site plan, the exact location of future access points is unknown. The site currently has one driveway on Collins Street.				

Trip Generation - Existing/Proposed	<p><u>Existing Zoning: HB-S</u> 1 unit x 9.57 trips per unit (Single-Family Detached House) = 9.57 trips per day</p> <p><u>Proposed Zoning: HB</u> Trip generation is unavailable for the proposed General Use request as it does not include a site plan.</p>
Sidewalks	Sidewalks do not exist along Collins Street. There are sidewalks along Twenty-Seventh Street north of the site.
Transit	WSTA Route 106 stops on the south side of the Twenty-Seventh Street and Pittsburg Avenue intersection, less than one-tenth of a mile from the site.
Analysis of Site Access and Transportation Information	<p>The HB district allows multiple high-intensity commercial uses which can generate significant traffic. While planning staff would generally be concerned about these uses given the site's proximity to residential zoning, the size of the site severely limits the ability to develop such uses here.</p> <p>Given the limited size and scale of this request and the existing single-family home on the site, staff does not anticipate any substantial site access or transportation-related issues as a result of this request. Both public transit and pedestrian access are available to the site.</p>
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"> • Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area. • Promote compatible infill development that fits with the context of its surroundings. • Protect residential areas from inappropriate commercial and industrial encroachment.
Relevant Area Plan(s)	<i>North Central Winston-Salem Area Plan Update (2015)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The <i>North Central Area Plan Update</i> recommends single-family residential use for the subject property. The small property to the north between the subject property and Twenty-Seventh Street is owned by the City and is shown as open space on the proposed land use map. • The area plan calls for the improvement of existing commercial areas that blend with existing development and do not infringe on nearby neighborhoods. Commercial areas should be compact with limited access to major thoroughfares and should not promote strip development. The reuse of vacant buildings and

	the redevelopment of existing undeveloped and underutilized sites is recommended where possible.
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 <i>Legacy 2030</i> ?
	Yes.
Analysis of Conformity to Plans and Planning Issues	This request would rezone approximately 0.22 acres at the southeast intersection of Twenty-Seventh Street and Collins Street from HB-S to HB.
	Despite being occupied by a single-family dwelling, this property has been commercially zoned since 1995, when it was rezoned as part of the UDO adoption process. Staff at that time inadvertently assigned this property the HB-S zoning of the property directly across Collins Street, rather than the RS9 zoning assigned to the other homes on the street. Given that the property has Special Use zoning but does not have an approved site plan or list of permitted uses, the site is currently undevelopable. A rezoning is necessary to correct this mapping error.
	Although, the <i>North Central Winston-Salem Area Plan Update</i> recommends single-family residential use for this site in recognition of the existing land use at the time of plan adoption, the site has been commercially zoned for almost 30 years. This request would simply amend the current Highway Business zoning and make it developable by removing the Special Use designation.
	Staff believes this request would not promote additional commercial rezoning along Collins Street as the request is only intended to fix a staff error. Additionally, most of the high-intensity uses allowed in the proposed HB zoning district would not be able to be developed here due to the limited size of the site.
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request would correct a mapping error made by the Planning Department during the 1995 adoption process of the UDO.	The request is not consistent with the land use recommendations of the <i>North Central Winston-Salem Area Plan Update</i> (2015).
Potential Highway Business uses will be severely limited by the size and shape of the site.	The request represent would allow commercial uses directly adjacent to an established residential neighborhood.

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-3590 SEPTEMBER 14, 2023

Marc Allred 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: Jason Grubbs

VOTE:

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

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

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

AGAINST: None

EXCUSED: None

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