

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket</b>	W-3460
<b>Staff</b>	<a href="#">Gary Roberts, Jr., AICP</a>
<b>Petitioner(s)</b>	Village at Robinhood, LLC
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN 5896-65-6825
<b>Address</b>	5262 Fleetwood Circle
<b>Type of Request</b>	Special Use rezoning from MU-S to GB-S
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> MU-S (Mixed Use – Special Use) <b>to</b> GB-S (General Business – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Motor Vehicle, Repair and Maintenance; Retail Store; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Banking and Financial Services; Offices; Services, A; Testing and Research Lab; Veterinary Services; Recreational Services, Indoor; Theater, Indoor; Child Care, Drop-In; Club or Lodge; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Museum or Art Gallery; Police or Fire Station; School, Vocational or Professional; and Utilities</li> </ul>
<b>Neighborhood Contact/Meeting</b>	A summary of the petitioner’s neighborhood outreach is attached.
<b>Zoning District Purpose Statement</b>	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 within a building or planned development, with consolidated access. This district is intended for application in Growth Management Areas (GMA) 1, 2, 3, and Metro Activity Centers.
<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 site is located within GMA 3 (Suburban Neighborhoods) and has close access to a major thoroughfare. The site is also within a destination retail area and would not encourage strip commercial development.
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	Southeast corner of Fleetwood Circle and Firedale Drive
<b>Jurisdiction</b>	Winston-Salem
<b>Ward(s)</b>	West
<b>Site Acreage</b>	± .75 acre

<b>Current Land Use</b>	The site is currently undeveloped.					
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>			<b>Use</b>	
	North	MU-S and GB-S			Shopping center and self-storage	
	East	RS9			Single-family home	
	South	LO-S and RS9			Utilities (natural gas) and a single-family home	
	West	MU-S			Walgreens	
<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>					
	The proposed commercial uses are generally compatible with the uses permitted on the adjacent MU-S, GB-S, and LO-S properties and less compatible with the uses permitted on the adjacent RS9 property.					
<b>Physical Characteristics</b>	The site was previously graded and has a gentle slope downward toward the north.					
<b>Proximity to Water and Sewer</b>	Public water can be accessed from Fleetwood Circle and Vienna Lane. Public sewer can be accessed from Fleetwood Circle and Firedale Drive.					
<b>Stormwater/ Drainage</b>	The proposed development is covered under an existing stormwater management plan that was permitted in 2006 for the overall Village at Robinhood development. There is no requirement to meet the current standards of the Post Construction Stormwater Management ordinance, which was adopted in 2008. The approved plan was designed for 75 percent total impervious area at buildout, and the proposed plan is within that design percentage. Prior to issuance of grading permits, the location of the storm drainage conveyance system must be approved to ensure there are no impacts to adjacent properties and the storm drainage is being conveyed to the area it was intended.					
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed.					
<b>Analysis of General Site Information</b>	The undeveloped site is part of a larger mixed-use development. It does not contain any challenging topography and is not located within designated watershed or regulatory floodplain areas.					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1594	LB-S to LO-S	Approved 8/20/2020	Directly south	2.18	Approval	Approval
W-3411	MU-S to GB-S	Approved 6/2/2019	Directly north	1.85	Approval	Approval
F-1417A	RS9 to MU-S	Approved 9/12/2005	Included current site	33.71	Approval	Approval

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Fleetwood Circle	Local Street	338 feet	N/A	N/A
Firedale Drive	Local Street	177 feet	N/A	N/A
Vienna Lane	Local Street	256 feet	N/A	N/A
<b>Proposed Access Point(s)</b>	The site will be accessed from Fleetwood Circle.			
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: MU-S</u> The subject property was shown as an undeveloped outparcel requiring Final Development Plan approval. No trip generation can be determined.</p> <p><u>Proposed Zoning: GB-S</u> 5,335 sf / 1,000 x 15.86 (automobile care center trip rate) = 85 trips per day</p>			
<b>Sidewalks</b>	Sidewalks are located along Firedale Drive and the opposite side of Fleetwood Circle.			
<b>Transit</b>	Transit is not available in the vicinity. The nearest transit service is approximately three miles east of the subject property.			
<b>Analysis of Site Access and Transportation Information</b>	The site will be accessed from Fleetwood Circle, which connects to Robinhood Road via Meadowlark Drive. Robinhood Road is a major thoroughfare with an average daily trip count of 8,500 vehicles east of Meadowlark Drive and 12,000 vehicles west of Meadowlark Drive. The capacity at Level of Service D (the standard acceptable service level) is 13,800. Staff does not foresee any transportation issues associated with this request.			
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS				
<b>Building Square Footage</b>	<b>Square Footage</b>	<b>Placement on Site</b>		
	5,335	Western edge of the site		
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>		
	19 spaces	19 spaces		
<b>Building Height</b>	<b>Maximum</b>	<b>Proposed</b>		
	60 feet	One story		
<b>Impervious Coverage</b>	<b>Maximum</b>	<b>Proposed</b>		
	N/A	58 percent		
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Section 4.6.10: General Business District</li> </ul>			
<b>Complies with Section 3.2.11</b>	(A) <i>Legacy 2030 policies:</i>	Yes		
	(B) <i>Environmental Ord.</i>	N/A		
	(C) <i>Subdivision Regulations</i>	N/A		

<b>Analysis of Site Plan Compliance with UDO Requirements</b>	The proposed site plan shows a nine-bay automotive repair building with associated parking. There is a small section in the southeastern portion of the site where the required streetyard will be provided by installing a fence in place of the required shrubs.
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 3 – Suburban 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>• Promote compatible infill development that fits with the context of its surroundings.</li> <li>• Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>West Suburban Area Plan Update (2018)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• The area plan recommends commercial use of the site, along with the redevelopment of existing undeveloped and underutilized sites.</li> <li>• The area plan calls for the creation of new commercial opportunities and the improvement of existing commercial areas to blend with existing development without negatively impacting nearby neighborhoods.</li> <li>• The plan recommends that land uses in the activity center be linked to each other and to adjoining properties through vehicular and pedestrian connections. The plan notes that the existing Robinhood Village development has large expanses of transparent glass and other elements of pedestrian-oriented design. Any new development here should also demonstrate pedestrian-oriented design.</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 located within the Robinhood Village Activity Center.
<b>Rezoning Consideration from Section 3.2.15 A 13</b>	<b>Have changing conditions substantially affected the area in the petition?</b>
	Within the past two years, two rezonings have been approved adjacent to the site, and development has begun or is nearing completion on both sites.
	<b>Is the requested action in conformance with Legacy 2030?</b>
	Yes
<b>Analysis of Conformity to Plans and Planning Issues</b>	The request is a rezoning from MU-S to GB-S for multiple commercial uses. The property was rezoned in 2005 as part of a larger mixed-use development. The approved plan shows this site as an undeveloped outparcel.

The *West Suburban Area Plan Update* recommends commercial use of the site and notes its inclusion within the Robinhood Village Activity Center. The proposed site plan accommodates a Motor Vehicle, Repair and Maintenance operation. While this use is one that is typically not encouraged within an activity center, staff notes that this site has remained undeveloped for over 15 years.

The area plan also recommends several site-specific design recommendations currently found within the existing Village at Robinhood and states that new development should demonstrate pedestrian-oriented design. The proposed building is pulled up to the corner of Firedale Drive and Fleetwood Circle. The request also includes building elevations that employ durable materials, articulation, and façade openings consistent with the character of the surrounding development. Given the specifics of the request (site plan and building elevations), staff views this request as being overall complimentary with its context.

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The request would allow development to take place on an undeveloped site that has been commercially zoned since 2005.	Motor Vehicle, Repair and Maintenance is a use that is typically not encouraged within an activity center.
The property is a suitable location for a needed use, which is often difficult to site from a compatibility perspective.	
The proposed building elevations are compatible with those of other buildings within The Village at Robinhood.	

**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 BUILDING PERMITS:**
  - a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.
  - b. Any retaining wall shall be earth tone in color or shall match the color of the primary building as verified by Planning staff.
  
- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
  - a. Any damage to City-maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the City of Winston-Salem.
  - 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 monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.
  - b. Storage of tires and/or other appurtenances must occur completely within the building.

**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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PUBLIC HEARING  
MINUTES FOR W-3460  
APRIL 8, 2021**

Desmond Corley presented the staff report.

Regarding the proposed condition restricting outdoor storage of equipment, Jack Steelman asked whether that also included a restriction against outdoor overnight and weekend storage of automobiles being serviced. Desmond stated that the UDO allows for some outdoor storage of vehicles being serviced; however, there is a limit to the number of vehicles that can be stored before it becomes a storage yard, which has its own screening requirements. The proposed condition does not propose to further limit what the UDO already allows.

Melynda asked if the area plan recommendation for nearby property would still be viable should the petition be granted. Desmond responded that the indicated area is intended to be a transition area between the high intensity uses in the activity center and the lower density single-family detached neighborhoods in the surrounding area. It would still be viable.

Jack further asked whether staff ever considered the value of reaching out to building owners and tenants when a rezoning has been requested. Desmond explained staff's procedure regarding neighborhood outreach. He stated that the UDO does not require petitioners to reach out to tenants in commercial areas.

**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.

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