

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3334
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Janet Bullins
Owner(s)	Same
Subject Property	Portion of PIN# 6839-11-3858
Address	675 Old Hollow Road
Type of Request	General use rezoning from LB-S to NB
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LB-S (Limited Business - special use - Services A) to NB (Neighborhood Business).</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. With a General use, all uses in the District must be considered.</p>
Continuance History	This item was automatically continued from the July 13, 2017 Planning Board meeting to the August 10 meeting because the UDO requirements pertaining to neighborhood meeting/outreach had not been met.
Neighborhood Contact/Meeting	<p>According to an email received from the petitioner on July 13, 2017: “Here is a list of the neighbors that I talked to about the rezoning: 669 Old Hollow Road is vacant and may still be owned by a bank according to neighbors. 678 Old Hollow Road is Jean Wrights and Gail Beck. I spoke to them in June and they had no problem with my business moving in. 683 Old Hollow Road is Anna Tingle. Her son used to own the place and she was fine with me moving in. I talked to her in June and today (June 13, 2017). 672 Old Hollow Road is Patricia White and I talked to her today and she would be glad to have me there. 684 Old Hollow Road is Craig and Katy Burford and they are also glad that I will be there. I spoke to Katy in June and her husband today. All of these people were contacted in person and I told them about my tax and accounting business, what hours I generally would be open, who would be working there and low traffic volume in and out.”</p>
Zoning District Purpose Statement	<p>The NB District is primarily intended to accommodate 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. The district should demonstrate pedestrian oriented design through elements such as on-street parking, façade articulation, storefront display windows, awnings and building entrances facing the street. The district is not intended to accommodate retail uses which attract customers from outside the neighborhood or which primarily cater to motorists. This district is intended for application in GMAs 2, 3, 4 and 5.</p>

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?			
	Yes, the subject property is a modest sized, commercially developed property within a neighborhood setting.			
GENERAL SITE INFORMATION				
Location	North side of Old Hollow Road, west of Merry Dale Drive			
Jurisdiction	City of Winston-Salem			
Ward(s)	Northeast			
Site Acreage	± .73 acre			
Current Land Use	The structure on the site is currently unoccupied. The most recent use of the site was for an Electronic Sweepstakes Operation.			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	RM12 and RS30	Undeveloped property and single family home	
	East	RS9	Single family homes	
	South	RS9	Single family homes	
	West	RS9	Single family home	
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Due to the inherent limitations of the proposed NB district, the relatively small scale of the subject property, and its historical use for commercial purposes, the uses permitted within the proposed NB district are generally compatible with the uses permitted on the adjacent residentially zoned properties.			
Physical Characteristics	The front portion of the site is developed and the rear portion is partially wooded. The site has a gentle slope downward toward the north.			
Proximity to Water and Sewer	Public water is available to the site; however, public sewer is not available.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The site is not located within a water supply watershed.			
Analysis of General Site Information	The site is developed with a one story 1,941 square foot business building and associated parking. The site does not have access to public sewer. Otherwise, the site appears to have no development constraints such as steep slopes, designated watersheds, or floodplains.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Old Hollow Road	Major Thoroughfare	135'	11,000	15,300

Proposed Access Point(s)	Because this is a general use request with no site plan, the exact location of access points is unknown. The site is currently accessed from Old Hollow Road.
Trip Generation - Existing/Proposed	<p><u>Existing zoning: LB-S</u> No trip generation rate is available for the sub category uses within the approved use of Services A.</p> <p><u>Proposed Zoning: NB</u> Staff is unable to provide an accurate trip generation for the proposed general use zoning because there is no site plan.</p>
Sidewalks	As a condition of approval for the existing LB-S zoning, a sidewalk was installed along the frontage of the subject property.
Transit	Route 87 runs along Hanes Mill Road located approximately 1.5 miles to the southwest.
Analysis of Site Access and Transportation Information	The modest sized site is located along a major thoroughfare. Staff does not foresee any transportation related issues associated with this request.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 3 - Suburban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> Promote new, convenient commercial and business services to support neighborhood needs. Support the improvement and redevelopment of older commercial sites.
Relevant Area Plan(s)	<i>Northeast Suburban Area Plan (2011)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> The Proposed Land Use Map shows the subject property for commercial land use and as a Special Land Use Condition Area. An Internet Café was previously located on the subject property. The area plan does not recommend an expansion of nonresidential zoning into adjacent residential parcels. In the draft <i>Northeast Suburban Area Plan Update</i>, the Proposed Land Use Map shows the property for commercial land use.
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.

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(R)(4) - Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes

Analysis of Conformity to Plans and Planning Issues	<p>The proposed rezoning is from LB-S to NB. While the site is surrounded by residentially zoned properties, it has a long history of being used as a commercial operation. The structure was built in 1946 and it appears to have been used for nonconforming commercial purposes until it was damaged by fire in the early to middle 2000's. In 2007, the site was rezoned from RS9 to LB-S for the use of Services A. At that time, Services A included the use of internet café which was later classified as the use Electronic Sweepstakes Operation.</p> <p>While the proposed NB zoning would allow for a wider array of uses including retail and restaurant uses, this district has many inherent design controls which are intended to minimize off site impacts while providing for small scale commercial needs within a neighborhood setting. These controls include limitations on signage, lighting, building size, and location of parking. The site would also have to comply with the bufferyard landscaping requirements prior to any new occupancy.</p> <p>Staff is supportive of the request due to the site's history as a commercial site and the low-impact nature of the proposed NB district.</p>
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RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2962	RS9 to LB-S	Approved 12-3-07	Current site	.73	Approval	Approval

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The request is consistent with both the existing <i>Northeast Suburban Area Plan</i> and the draft update.	The site is adjacent to residential zoning on all sides.
The site has a history of commercial use.	
The request is from a more intense zoning to a less intense zoning.	
The site fronts on a major thoroughfare.	
The NB district has inherent requirements regarding scale, location of parking, lighting, signage, and landscaping	

designed to allow convenient commercial services close to and within residential areas.	
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STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **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-3334
JULY 13, 2017**

This item was continued to the August 10, 2017 meeting because the UDO requirements pertaining to neighborhood meeting/outreach have not been met.

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3334
AUGUST 10, 2017**

Aaron King presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

George Bryan: How long has this piece of property been without a tenant or not in use? Aaron King: It got rezoned around 2007 for an internet café but to my knowledge, that was the last use in that building. The existing zoning is Limited Business - Special Use and the only approved use is Services A.

MOTION: Clarence Lambe moved approval of the zoning.

SECOND: Chris Leak

VOTE:

FOR: George Bryan, Melynda Dunigan, Arnold King, Clarence Lambe, Chris Leak,
Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services