

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3496
Staff	Bryan D. Wilson
Petitioner(s)	Rosemary Nina Chalk, William F. Chalk, and Mary Elizabeth W. Sutphin
Owner(s)	Same
Subject Property	PINs 6829-22-8156 and 6829-22-9032
Address	6143 and 6137 University Parkway
Type of Request	Special Use rezoning from RS9 and LB-L to HB-S
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential, Single Family – 9,000 sf minimum lot size) and LB-L (Limited Business – Special Use Limited) to HB-S (Highway Business – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Animal Shelter, Public; Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Food or Drug Store; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motorcycle Dealer; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services, A; Shopping Center; Shopping Center, Small; Utilities; Veterinary Services; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; School, Private; School, Public; and Access Easement, Private Off-Site
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, distributive uses, and high-density residential. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. 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 3.2.15 A 13	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	The proposal is consistent with the HB District purpose statement in that the site is located within GMA 3 along a high-visibility corridor.		
GENERAL SITE INFORMATION			
Location	East side of University Parkway, south of Noel Drive		
Jurisdiction	Winston-Salem		
Ward(s)	Northeast		
Site Acreage	± 1.89 acres		
Current Land Use	The site currently contains a single-family home with the remainder of the property being vacant.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	LB & RM8-S	Car Wash and Daycare Center
	East	RM8-S & RM8-S	Daycare Center and Multifamily Residential
	South	RS9	Single-family Home
	West	LB & RM8-S	Retail Store and Multifamily Residential
Applicable Rezoning Consideration from Section 3.2.15 A 13	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?		
	The proposed car wash and commercial uses are compatible with the uses permitted on the adjacent LB properties. They are less compatible with the residential uses permitted on the adjacent RS9 and RM8-S properties.		
Physical Characteristics	The partially wooded site has a gentle slope to the northwest.		
Proximity to Water and Sewer	Public water and sewer can be accessed from University Parkway.		
Stormwater/ Drainage	The proposed site plan shows one underground stormwater management device in the northwestern portion of the site. A stormwater management study will be required prior to the issuance of any grading permits.		
Watershed and Overlay Districts	The site is not located within a water supply watershed.		
Analysis of General Site Information	The mostly vacant subject property includes a single-family home along the eastern side of University Parkway. The property has generally favorable topography and is not located within a water supply watershed or regulated floodplain.		

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3212	RS9 to RM8-S	Approved 5/5/2014	Directly east	13.19	Approval	Approval
W-2954	RS9 to LB-L	Approved 10/1/2007	Portion of current site	0.89	Approval	Approval
W-2872	RS9 & RM8-S to RM8-S	Approved 8/7/2006	Directly east	1.91	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
University Parkway	Boulevard	261 feet	21,000	38,100		
Proposed Access Point(s)	The site plan proposes one full access point from University Parkway.					
Planned Road Improvements	The 2045 <i>Comprehensive Transportation Plan</i> calls for a right-of-way width of 110 feet with sidewalks on both sides of University Parkway.					
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RS9 and LB-L</u> ± 0.97 acres / 9,000 sf = 4 homes x 9.57 (single-family trip rate) = 38 trips per day</p> <p>No trip generation estimate is available for the undeveloped LB-L portion of the site.</p> <p><u>Proposed Zoning: HB-S</u> 4,083 sf / 1,000 x 24.87 (tire store trip rate) = 102 trips per day</p>					
Sidewalks	Sidewalks are not currently located along this section of University Parkway. The petitioner proposes building new sidewalk along their entire frontage.					
Transit	WSTA Route 87 stops at the intersection of East Hanes Mill Road and University Parkway, approximately one half-mile south of the site.					
Connectivity	The petitioner has shown a cross-access easement on the site plan with a stub to the north to provide for future interconnectivity per UDO requirements.					
Transportation Impact Analysis (TIA)	A TIA was not required for this site.					

Analysis of Site Access and Transportation Information	The site has frontage along a boulevard that has extra capacity and is scheduled for future widening; the petitioner has dedicated additional right-of-way for that purpose. The site plan proposes a single driveway onto University Parkway. While it is difficult to compare existing and proposed trip generation numbers, this site fronts along a major growth corridor with ample capacity.		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	4,083		Centrally located
Parking	Required	Proposed	Layout
	21 spaces	24 spaces	90-degree head-in
Building Height	Maximum		Proposed
	60 feet		One story
Impervious Coverage	Maximum		Proposed
	85 percent		33.33 percent
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 4.6.9: Highway Business District • Section 5.2.60: Motor Vehicle Repair and Maintenance, and Motor Vehicle Body or Paint Shop (use-specific 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	<p>The request would remove a single-family home and construct a commercial tire sales and service establishment. The total proposed building square footage is 4,083 square feet. The petitioner has shown the appropriate Type III bufferyard against the RM8-S properties around the majority of the property, with a Type I bufferyard shown against the LB property to the north.</p> <p>The plan shows one underground stormwater device. The applicant has shown required sidewalk along the entire University Parkway frontage with required internal pedestrian access.</p>		
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"> • Encourage reuse of vacant and underutilized commercial and industrial sites. • Promote compatible infill development that fits with the context of its surroundings. • Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area. 		

Relevant Area Plan(s)	<i>North Suburban Area Plan Update (2014)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The area plan recommends low-intensity commercial use of the site. • The area plan generally recommends the redevelopment of existing undeveloped and underutilized sites.
Site Located Along Growth Corridor?	The site is located along the University Parkway Growth Corridor.
Site Located within Activity Center?	The site is not located in an Activity Center.
Addressing	The new assigned address will be 6143 University Parkway.
Applicable Rezoning Consideration from Section 3.2.15 (A 13)	Have changing conditions substantially affected the area in the petition?
	Yes. The site is bounded by two large transportation projects: the Northern Beltway project to the north and the Hanes Mill Road improvement project to the south. These two factors have changed the projection of the <i>North Suburban Area Plan</i> in this respect.
	Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>This request would rezone property from RS9 and LB-L to HB-S for multiple uses. The site plan depicts a 4,083-square foot tire sales and service building with seven service bays.</p> <p>The site is located along University Parkway, which is recognized as a growth corridor by the <i>North Suburban Area Plan Update</i>. The Area Plan recommendation is for low-intensity commercial uses that are not auto-related. With respect to this section University Parkway, future construction of the Northern Beltway to the north of the site, and the proposed Hanes Mill Road widening project (TIP Project U-2729) to the south will change the conditions of this area. These projects were not imminent nor fully considered when the area plan was adopted in 2014.</p> <p>While the request includes several high-intensity uses, those uses are not out of character with the University Parkway corridor and will allow for adequate availability of goods and services for residents. Allowing for the intensification of commercial uses at this location and along the eastern side of this section of University Parkway will help concentrate intense commercial development along the corridor south of the Northern Beltway. The area plan recommends the western side of University Parkway from Sunview Road to just below Ziglar Road for residential development at an intermediate density, and staff continues to support this recommendation.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed use is generally consistent with other land uses along University Parkway.	This request would extend high-intensity commercial zoning farther north along University Parkway,
The allowance of higher-intensity commercial uses here would potentially reduce development pressure at less-desirable locations.	
The request would allow for the development of the vacant commercially zoned portion of the site.	
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL	
<p>The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:</p> <ul style="list-style-type: none"> • <u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u> <ul style="list-style-type: none"> a. 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, vegetated areas designated to remain, or in close proximity to adjacent residentially zoned property shall require a Staff Change approval at minimum and may require a Site Plan Amendment. b. Developer shall obtain a driveway permit from the City of Winston-Salem and NCDOT; additional improvements may be required prior to issuance of the driveway permit(s). Required improvements include: <ul style="list-style-type: none"> • Dedication of right-of-way along the University Parkway frontage and • Installation of sidewalk along the University Parkway frontage. • <u>PRIOR TO THE ISSUANCE OF BUILDING PERMITS:</u> <ul style="list-style-type: none"> a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff. • <u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u> <ul style="list-style-type: none"> a. Developer shall complete all requirements of the driveway permit. b. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff. • <u>OTHER REQUIREMENTS:</u> <ul style="list-style-type: none"> a. Freestanding signage shall be limited to one monument sign along the University Parkway frontage. The sign shall have a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet. 	

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-3496
OCTOBER 14, 2021**

Desmond Corley presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lamb recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, 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: George Bryan

VOTE:

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

AGAINST: None

EXCUSED: None

Chris Murphy, AICP
Acting Director of Planning and Development Services