

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3534
Staff	Marc Allred
Petitioner(s)	Nottingham Forest, LLC
Owner(s)	Same
Subject Property	Portion of PIN 6816-14-2679
Address	This portion of the subject property is not addressed.
Type of Request	Special Use Limited 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-L (Highway Business – Special Use Limited). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Residential Building, Multifamily; Residential Building, Townhouse; Arts and Crafts Studio; Banking and Financial Services; Building Contractors, General; Building Materials Supply; Car Wash; Child Care, Drop-In; Food or Drug Store; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hotel or Motel; Library, Public; Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Motorcycle Dealer; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services, A; Services, B; Special Events Center; Storage Services, Retail; Testing and Research Lab; Theater, Indoor; Utilities; Veterinary Services; Warehousing; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; 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 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 already zoned Highway Business.					
GENERAL SITE INFORMATION						
Location	North side of Robinhood Road and east of Polo Road, at the eastern terminus of Lee Street.					
Jurisdiction	Winston-Salem					
Ward(s)	Northwest					
Site Acreage	± .55 acre(s)					
Current Land Use	The site is currently used as a parking lot for the existing uses on portions of the property not proposed for rezoning.					
Surrounding Property Zoning and Use	Direction	Zoning District	Use			
	North	RM12	Westgate Apartments			
	East	RM12	Westgate Apartments			
	South	HB	Commercial uses			
	West	RM12	Single-family home			
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?					
	Yes, the rest of the property is zoned Highway Business, and the uses allowed in the proposed district would be allowed on the other portions of the property. However, some of the proposed uses may be incompatible with surrounding multifamily residential zoning.					
Physical Characteristics	The site is mostly developed, with a downward slope towards Robinhood Road to the south.					
Proximity to Water and Sewer	Water and sewer are available from Lee Street and Robinhood Road.					
Stormwater/ Drainage	Stormwater will drain towards Robinhood Road, where it will enter the City's stormwater drainage system.					
Watershed and Overlay Districts	The site is not within a water supply watershed.					
Analysis of General Site Information	The developed site is an overflow parking area for the commercial activities in the vicinity and has adequate access to public utilities and infrastructure in the event of future development.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3528	RM12 to LB-L	Approved 9/2/14	300 feet west	0.36	Approval	Approval
W-1783	R-2 to B-3-S	Approved 9/8/1992	Subject property	0.54	Approval	Approval

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Robinhood Road	Major Thoroughfare	N/A (325 feet north)	22,500	27,500
Polo Road	Minor Thoroughfare	N/A (350 feet east)	4,500	18,200
Lee Street	Local Street	50 feet	N/A	N/A
Proposed Access Point(s)	Because this is a Special Use Limited request without a site plan, no access points have been proposed. However, any development on the site will continue to have access to Lee Street and Robinhood Road.			
Proposed Road Improvements	Because this is a Special Use Limited request without a site plan, no road improvements have been proposed.			
Trip Generation - Existing/Proposed	Trip generation cannot be calculated for the existing or proposed zoning because the site is currently undeveloped, and there is no site-specific plan for future development.			
Sidewalks	No sidewalk exists nor is planned for or around the portion of the property being rezoned. Future development would be required to provide pedestrian connections to Robinhood Road.			
Transit	WSTA Route 109 serves Robinhood Road and Polo Road, with stops on both sides of Robinhood Road and at the intersection of Robinhood Road and Polo Road.			
Connectivity	It is possible to traverse the subject property uninterrupted from Robinhood Road to Polo Road.			
Analysis of Site Access and Transportation Information	There is plenty of vehicular access to Robinhood Road and Polo Road, and the site has good transit access. Intensification of the site would necessitate additional sidewalks along this side of Robinhood Road to reduce conflict points between pedestrians and vehicles.			
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 convenient services at designated areas to support neighborhoods consistent with the Growth Management Plan. • Encourage reuse of vacant and underutilized commercial and industrial sites. • Concentrate development within the serviceable land area with the highest densities at City/Town Centers, Activity Centers and along Growth Corridors. 			
Relevant Area Plan(s)	<i>West Suburban Area Plan Update (2018)</i>			

Area Plan Recommendations	<ul style="list-style-type: none"> • The plan recommends commercial use of the property. • Do not expand current nonresidential zoning to adjoining properties. • Redevelop the existing site under current zoning or a less intensive zoning classification. • Commercial areas should be compact with limited access to major thoroughfares and should not promote strip development.
Site Located Along Growth Corridor?	This site is near the Robinhood Road Growth Corridor.
Site Located within Activity Center?	This site is in the Sherwood Forest Activity Center.
Comprehensive Transportation Plan Information	The <i>Comprehensive Transportation Plan</i> indicates that roadway modernization may be necessary for Robinhood Road from Norman Road to Silas Creek Parkway. Improvements could include lane and shoulder width modifications, turn lanes at intersections, and realignment for safety.
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>?
Analysis of Conformity to Plans and Planning Issues	Yes, the property is already zoned Highway Business and is within an activity center, where intense, high-density development is encouraged to be concentrated.
	<p>The request is to rezone a half-acre site from HB-S to HB-L. The property has been zoned Highway Business since 1992. The proposed rezoning would be consistent with the recommendations of <i>Legacy</i> and the <i>West Suburban Area Plan Update</i>, as it would allow for redevelopment of the site while maintaining commercial development areas along major thoroughfares (Robinhood Road, in this case).</p> <p>The subject property is currently only zoned for service and office uses. Office occupancy rates in Winston-Salem and nationally have remained low since the start of the COVID-19 pandemic. This property has been underutilized for years, with a current vacancy rate of 75 percent. With younger employees desiring greater flexibility in the workplace, combined with the retirement of older workers and increased access to remote work capabilities, businesses are rethinking how much office space they need.</p> <p>Staff believes the request is reasonable because it allows greater flexibility for other development options within the context of shifting business and development practices.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request would encourage reuse of an underutilized commercial site.	The proposed zoning district caters to vehicular traffic and would allow some uses that could negatively impact residential communities.
The request could accommodate a mixture of uses within an established activity center.	
The request would allow for more use flexibility on the site.	

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-3534
JULY 14, 2022**

Desmond Corley presented the staff report.

George Bryan asked whether there are other developments going on in this area in terms of incorporating adjoining lots, and if this site is part of a larger development. Desmond responded that nothing has been formally submitted, but staff has reviewed a sketch plan that involved this parcel and other parcels to the south that have frontage on Robinhood Road. George asked whether staff looked at the access from Polo Road and how it wraps around to Robinhood Road. He also asked if this plan makes sense with future projects. Desmond agreed that this site should be developed as part of a consolidated development effort. Looking at Lee Street from a transportation perspective, and whether it is appropriate for use as access for any development will depend on the specifics of what is being proposed.

Melynda Dunigan said the staff report stated that sidewalks are not required here but would be required as a part of future development. Is that just for this site or for the surrounding parcels as well? Desmond replied that future development with frontage along Robinhood Road would require sidewalk, which could be extended internally to this property. Jack Steelman noted that this is such a small parcel and some of the permitted land uses cannot go on a site that small, so why are they included? Desmond responded that this proposed rezoning is a portion of a larger parcel. The portion of the site with frontage on Robinhood Road already allows every use in the HB (Highway Business) District.

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, 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 ordinance amendment.

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

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