

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket	W-3480		
Staff	Amy McBride		
Petitioner(s)	Winston Salem Business Adventures, LLC		
Owner(s)	Same		
Subject Property	PIN 6828-82-3711		
Address	5217 Germanton Rd		
Type of Request	General Use Rezoning from RS9 to HB		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 to HB.</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 request, all uses in the district must be considered.</p>		
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.		
Zoning District Purpose Statement	<p>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.</p>		
Rezoning Consideration from Section 3.2.15 A 13	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes, the site is located within GMA 3 and is surrounded by HB zoning on three sides.		
GENERAL SITE INFORMATION			
Location	East side of Germanton Road, north of North Patterson Avenue		
Jurisdiction	Winston-Salem		
Ward(s)	Northeast		
Site Acreage	±1.83 acres		
Current Land Use	A single-family residential structure with multiple accessory structures in the rear yard currently exist on the subject property.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	HB	Single Family Residential
	South	HB	Largely undeveloped property containing a transmission tower

	East	RS9	Undeveloped property			
	West	HB	Multiple commercial businesses (auto sales, gas station and a motel) exist across Germanton Road			
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?					
	No site plan has been submitted but the proposed zoning of HB is compatible with adjoining properties. The area west and south of the site from Germanton to Patterson Ave is predominantly commercial in nature. The area north and east of the subject property is more residential in nature and is less compatible with the proposed zoning.					
Physical Characteristics	The site has a gentle to moderate slope downward toward the east for most of the site, with a gentle rise to the rear property line. The site is partially wooded with many large hardwood trees surrounding the existing house.					
Proximity to Water and Sewer	The site has access to public water and sewer from Germanton Rd.					
Stormwater/ Drainage	Staff is not aware of any stormwater/ drainage issues existing at this location.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The site currently contains an occupied single-family residence. The surrounding areas to the west and south are zoned HB, with existing heavy commercial uses. The areas to the north and east are zoned HB and RS9 with residential uses.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2684	RM9-S to HB	Withdrawn 4/28/2004	North of the subject property	8.29	N/A	N/A
W-3213	HB & RS9 to HB	Approved 5/5/2014	Northwest of the subject property	5.41	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Germanton Road	Major Thoroughfare	125'	12,000	15,300		
Proposed Access Point(s)	Primary access to the site is currently provided by a driveway located on Germanton Road. No site plan has been submitted to indicate the location of future access.					

Planned Road Improvements	There are no proposed road improvements currently planned here.
Trip Generation-Existing/Proposed	As this is a General Use request, trip generation information is unavailable.
Sidewalks	No sidewalks currently exist in the area.
Transit	WSTA Route 87 services Germanton Rd., with the closest stop at N. Patterson and Germanton Rd.
Analysis of Site Access and Transportation Information	As this is a General Use request, specific access and trip generation information is unavailable. There are no proposed road improvements currently planned at this location.
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 redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area. • Encourage a mixture of residential densities and housing types through land use recommendations. • Promote quality design so that infill does not negatively impact surrounding development.
Relevant Area Plan(s)	<i>Northeast Suburban Area Plan Update (2017)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • This plan calls for the creation of new commercial opportunities and the improvement of existing commercial areas to blend with existing development and not negatively impact nearby neighborhoods. • The subject property is recommended for intermediate-density residential use and is part of a 28-acre Special Land Use Condition Area. The plan calls for comprehensive development of the area at a density of up to 12 units per acre.
Site Located Along Growth Corridor?	No
Site Located within Activity Center?	No
Comprehensive Transportation Plan Information	The Comprehensive Transportation Plan recommends a three-lane cross section with wide outside lanes, curb, gutter, and sidewalks for this section of Germanton Road.
Greenway Plan Information	There is no greenway proposed for this area.

Rezoning Consideration from Section 3.2.15 A 13	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	<p>The proposed rezoning from RS9 to HB is consistent with the current zoning of the adjacent properties to the north and south of the site.</p> <p>The <i>Northeast Suburban Area Plan Update</i> (2017) supports the creation of new commercial opportunities and the improvement of existing commercial areas to blend with existing development and not negatively impact nearby neighborhoods. This request is also compatible with the land use recommendations of the plan.</p>
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed zoning is consistent with the adjacent properties which are currently zoned HB.	As no site plan is currently proposed for this property, all possible HB uses should be considered for development here.
The area to the east of the parcel will maintain the RS9 zoning of adjoining parcels.	
The site has access to water and sewer with good road access and is suitable for a variety of residential and commercial uses.	

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-3480
JUNE 10, 2021**

Amy McBride presented the staff report.

Due to the area plan recommendation being different from the zoning recommendation, Melynda asked staff whether they considered this request to be consistent with the area plan. Amy stated that, without a site plan, future development is unknown at this point. It is currently a residential property, but in looking at the trending growth of the area and the surrounding properties that are zoned HB, it would be consistent.

PUBLIC HEARING

FOR:

Tracy Myers, 1601 Conrad Road, Lewisville, NC 27023

- My family has had businesses here for 101 years. I really believe in and support growth in this area. I started an athletic training program for young people approximately nine years ago in a rental property that we have outgrown. The subject property that I purchased was not an attractive piece of property. I purchased the property next to it and revitalized the corner of Germanton and Patterson, and now my goal is to move up the hill. That property has been sitting empty since I bought it. We have outgrown the last facility, which primarily serves young people 15-19 years of age. The majority come from homes that are less fortunate. We train them in many forms of athletics but we also train them in how to run the business so they will be equipped to go into the workplace.
- The person living in the residential home that I am requesting be rezoned is an employee as well. The plans for the adjacent property are why I am seeking rezoning of the residential piece, to put up a facility for the kids. They train at night, three hours a night. That is when they are coached and mentored.
- Where this building is going is already zoned commercial use, but to get that building built the way I need it built, I need that residential home zoned commercial as well.

AGAINST:

Erica Lowery, 5478 North Ridge Drive, Winston-Salem, NC 27105

- I live behind the subject property. We already have a lot of traffic. I am concerned about there being more traffic. Property values are also a concern.

- I commend the owner for doing something positive, but it is a busy road. Getting more commercial on that road, I am concerned about what type of commercial use it would have and what it would do to property values. I am not against progress, but I am against progress at the expense of others.

Chris Murphy reminded the Board that this is a General Use request, and they will need to consider the full range of uses when making their decisions.

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 zoning petition.

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

Aaron King
Director of Planning and Development Services