

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3499		
Staff	Elizabeth Colyer		
Petitioner(s)	Brenda and Arbie Smith		
Owner(s)	Same		
Subject Property	PINs 6836-40-4527, 6836-40-3338, 6836-40-4414		
Address	1010 and 1018 North Liberty Street, 620 East Eleventh Street		
Type of Request	City Council Special Use Permit for a reduction of required side setbacks for Kennel, Indoor		
	<p>NOTE: A Special Use Permit may only be issued when the approval body, as determined by the Principal Use Table, affirms all findings of fact as outlined in Section 3.2.13D.5 (Board of Adjustment) or Section 3.2.13E.6 (Elected Body) of the UDO.</p>		
GENERAL SITE INFORMATION			
Location	Northwest corner of North Liberty Street and Linden Street		
Jurisdiction	Winston-Salem		
Ward(s)	East		
Site Acreage	± 0.95 acre		
Current Land Use	The site is partially developed with an existing building and parking lot used for a Motor Vehicle Body or Paint Shop. The eastern portion of the site is vacant.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	GI	NCDOT, City of Winston-Salem, and railroad right-of-way
	East	LI	Warehousing, billboard
	South	GB	Warehousing, Wholesale Trade
	West	GB	Railroad right-of-way and Motor Vehicle Repair and Maintenance, Paint and Body Shop, and Storage Yard
Physical Characteristics	The site is developed with an existing building and parking area with multiple access points from North Liberty Street. The northern and eastern portions of the site remain undeveloped. The site is relatively flat and may have been graded or developed in the past.		
Proximity to Water and Sewer	Public water and sewer are available along North Liberty Street.		
Stormwater/ Drainage	Stormwater management is not required for the proposal. There is existing public storm drain infrastructure serving the site.		

Analysis of General Site Information	The site is partially developed and appears to be easily redeveloped; there are no significant development constraints.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
North Liberty Street	Major Thoroughfare	257 feet	9,100	13,800
Linden Street	Local Street	97 feet	N/A	N/A
East Eleventh Street	Local Street	118 feet	N/A	N/A
Proposed Access Point(s)	One access point is proposed from Linden Street. Three existing driveways are proposed to be closed along North Liberty Street, with access restricted to the remaining driveway.			
Trip Generation - Existing/Proposed	<p><u>Existing:</u> 3,522 sf / 1,000 x 15.86 (automobile care center trip rate) = 55.86 trips per day</p> <p><u>Proposed:</u> No trip generation numbers are available for this land use.</p>			
Sidewalks	There are existing sidewalks along North Liberty Street, Linden Street, and a portion of East Eleventh Street adjacent to the site.			
Transit	WSTA Route 87 runs along North Liberty Street.			
Analysis of Site Access and Transportation Information	The site is accessible utilizing a variety of transportation modes. Access to proposed off-street parking is limited to Linden Street, and there are existing sidewalks along all road frontages.			
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS				
Building Square Footage	Square Footage		Placement on Site	
	± 11,185 in three separate buildings		Southwestern corner, central portion, and northeastern corner	
Parking	Required	Proposed		Layout
	15	25		90-degree head-in
Building Height	Maximum			Proposed
	Unlimited			One story
Impervious Coverage	Maximum			Proposed
	Unlimited			52.78 percent
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 3.2.13E.6: Special Use Permit by Elected Body • Section 4.2.4: Supplementary Standards for Nonresidential Development in the GMA 2 Area • Section 5.2.41: Kennel, Indoor • Section 6.1.1C: Changes in Use 			
Complies with Section 3.2.11	(A) Legacy policies:		Yes	
	(B) Environmental Ord.		N/A	
	(C) Subdivision Regulations		N/A	

Analysis of Site Plan Compliance with UDO Requirements	This request would allow a site with an existing building and parking area to be redeveloped with two additional buildings and parking to establish an indoor kennel use. The existing and proposed buildings and outdoor enclosure do not meet side setback standards for the kennel use, which necessitates the Special Use Permit request. The proposed site plan is otherwise compliant with all UDO requirements.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy Growth Management Area	Growth Management Area 2 – Urban Neighborhoods
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • Reduction of setbacks is recommended to reduce sprawl and create a more compact and balanced urban development pattern. • Redevelopment of buildings that complement and are compatible with the existing urban form is encouraged.
Relevant Area Plan(s)	<i>North Central Area Plan Update (2015)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The relevant area plan recommends commercial uses for this site.
Site Located Along Growth Corridor?	Yes, the site is located along the Liberty Street Growth Corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Addressing	Future assigned addresses will be 1010 and 1018 North Liberty Street and 620 East Eleventh Street.
Other Applicable Plans and Planning Issues	<p>The City Council shall issue a Special Use Permit only when it makes an affirmative finding as follows (<i>Planning staff comments in italics</i>):</p> <ol style="list-style-type: none"> 1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved; <p style="margin-left: 40px;"><i>The proposed uses, Kennel, Indoor and Restaurant (without drive-through service), are not a threat to public health or safety. There are no residential uses near to the site, and the surrounding area is comprised of high-intensity commercial and industrial land uses. The proposed use is far less intense by comparison.</i></p> 2. That the use meets all required conditions and specifications; <p style="margin-left: 40px;"><i>The site complies with all UDO standards except required side setbacks for a kennel use. The Special Use Permit is necessary to approve deficient side setbacks for the proposed use.</i></p> 3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

	<p><i>(Planning staff does not have the expertise to make property value determinations).</i></p> <p>4. That the location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with <i>Legacy</i>.</p> <p><i>The request will allow a new use in an existing building that is complementary to the surrounding area. Alleviating required setbacks will reduce sprawl and allow for comprehensive development of an underutilized site. The proposed uses are in keeping with the recommended commercial use of the site. The request promotes compact urban form and redevelopment of an existing site located along the Liberty Street Growth Corridor in GMA 2.</i></p>
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CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The proposal would allow redevelopment of a commercial site for a new use with an existing building that complements the surrounding area.	The proposal does not increase the level of pedestrian-oriented form in the Liberty Street Growth Corridor area.
The proposed uses are consistent with the commercial land use recommendation for the site.	
Approved reduction of required side setbacks allows for more compact urban development on an existing site.	

SITE-SPECIFIC 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 GRADING PERMITS:**
 - a. 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:
 - Installation of curb, gutter, and sidewalk along Linden Street where any existing curb cuts are closed; and
 - Replacement of any damaged sidewalk.
- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
 - a. All required improvements of the driveway permit(s) shall be completed.
 - b. The westernmost existing driveway along North Liberty Street shall be unused and access restricted as shown on the site plan.

STAFF RECOMMENDATION: Approval