

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3517
<b>Staff</b>	<a href="#">Bryan D. Wilson</a>
<b>Petitioner(s)</b>	Rogelio Torres Patino and Yvette Cuevas Torres
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN 6828-80-4760
<b>Address</b>	4140 North Patterson Avenue
<b>Type of Request</b>	General Use rezoning
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> GI (General Industrial) and HB (Highway Business) <b>to</b> HB (Highway Business).</p> <p><b>NOTE:</b> 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>
<b>Neighborhood Contact/Meeting</b>	A summary of the petitioner’s neighborhood outreach is attached.
<b>Zoning District Purpose Statement</b>	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.
<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<p><b>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Yes, the site is located within GMA 3 along a minor thoroughfare.</p>
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	West side of North Patterson Avenue, north of Motor Road
<b>Jurisdiction</b>	Winston-Salem
<b>Ward(s)</b>	Northeast
<b>Site Acreage</b>	± 2.37 acres
<b>Current Land Use</b>	The current site contains a three-bay metal building with exterior materials storage areas. The site was formerly used as a recycling center.

<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>			
	South	RS9	US Highway 52			
	North	HB	Motor vehicle repair shop and retail storage services			
	East	HB	Vacant property and retail storage services			
	West	HB &RS9	Motor vehicle repair shop and US Highway 52			
<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<b>Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>					
	The proposed commercial uses are compatible with the commercial uses allowed on the surrounding properties.					
<b>Physical Characteristics</b>	The site slopes gently to the southwest, with a stream and flood zone to the rear of the property against US Highway 52.					
<b>Proximity to Water and Sewer</b>	The site has access to public water and public sewer from North Patterson Avenue.					
<b>Stormwater/ Drainage</b>	No known issues exist for this site.					
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed.					
<b>Analysis of General Site Information</b>	The site currently has dual zoning, with the northwestern portion zoned GI and the southeastern portion zoned HB. The developed site contains an approximately 4,000-square foot metal building with attendant parking. The parking area currently contains outdoor materials storage bays. There do not appear to be any significant development constraints on the site.					
<b>RELEVANT ZONING HISTORIES</b>						
<b>Case</b>	<b>Request</b>	<b>Decision &amp; Date</b>	<b>Direction from Site</b>	<b>Acreage</b>	<b>Recommendation</b>	
					<b>Staff</b>	<b>CCPB</b>
W-2927	HB to GI-S	Approved 5/7/2007	500 feet east	20	Approval	Approval
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>						
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>Average Daily Trip Count</b>	<b>Capacity at Level of Service D</b>		
North Patterson Avenue	Minor Thoroughfare	152 feet	7,000	15,300		
<b>Proposed Access Point(s)</b>	Because this is a General Use request with no site plan or access conditions, the exact location of future access points is unknown. The current site has a single access point on North Patterson Avenue.					

<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: GI &amp; HB (using former use classification)</u> 4,000 sf industrial building/1000 x 6.97 = 27.88 trips per day</p> <p><u>Proposed Zoning: HB</u> Trip generation is unavailable for the proposed General Use request as it does not include a site plan.</p>
<b>Sidewalks</b>	There are currently no sidewalks on either side of this section of North Patterson Avenue.
<b>Transit</b>	WSTA Route 87 stops at the intersection of North Patterson Avenue and Motor Road, approximately 1,500 feet north.
<b>Transportation Impact Analysis (TIA)</b>	A TIA is not required.
<b>Analysis of Site Access and Transportation Information</b>	<p>The site has frontage along North Patterson Avenue, a minor throughfare. A transit stop is available less than one-half mile north of the site at the intersection of Motor Road and North Patterson Avenue.</p> <p>Sidewalks do not exist along this section of North Patterson Avenue. The site is located within an area that is well served by a minor thoroughfare with ample capacity and has good visibility and access for any potential commercial uses on the site.</p>
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 3 – Suburban Neighborhoods
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• Encourage reuse of vacant and underutilized commercial and industrial sites.</li> <li>• Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>Northeast Suburban Area Plan Update (2017)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• The <i>Northeast Suburban Area Plan Update</i> recommends commercial uses for this site.</li> <li>• Rezone land for business/industrial development in a manner consistent with the Proposed Land Use Map.</li> <li>• Encourage and support the redevelopment/rehabilitation of existing older/underutilized commercial and industrial sites.</li> </ul>
<b>Site Located Along Growth Corridor?</b>	The site is not along a growth corridor.
<b>Site Located within Activity Center?</b>	The site is not located within an activity center.

<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<b>Have changing conditions substantially affected the area in the petition?</b>	
	No	
	<b>Is the requested action in conformance with <i>Legacy 2030</i>?</b>	
	Yes	
<b>Analysis of Conformity to Plans and Planning Issues</b>	This request would rezone approximately 2.37 acres on the west side of North Patterson Avenue, north of Motor Road. The site currently has dual zoning with the northern portion zoned GI and the southern portion zoned HB.	
	The <i>Northeast Suburban Area Plan Update</i> recommends commercial uses for the site. This rezoning would allow for uses that are more consistent with the existing commercial zoning pattern on the west side of North Patterson Avenue. Staff is supportive of this request.	
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>		
<b>Positive Aspects of Proposal</b>		<b>Negative Aspects of Proposal</b>
The request would encourage redevelopment of an underutilized site.		This request would decrease the amount of available industrially zoned property.
The request is consistent with the area plan's land use recommendation.		
The request is consistent with the zoning pattern in the area and particularly on the west side of North Patterson Avenue.		

**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-3517  
MARCH 10, 2022**

Desmond Corley presented the staff report.

**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, Jason Grubbs, Walter Farabee, 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, Jason Grubbs, Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

---

Chris Murphy, AICP  
Acting Director of Planning and Development Services