

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3429
<b>Staff</b>	Dakota Pahel-Short
<b>Petitioner(s)</b>	Khaled Ahmed Mijalli
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN 6837-12-2050
<b>Address</b>	3719 Indiana Avenue
<b>Type of Request</b>	Special Use Limited rezoning
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> HB-S <b>to</b> GB-L. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Arts and Crafts Studio; Banking and Financial Services; Building Contractors, General; Building Materials Supply; Car Wash; Church or Religious Institution, Neighborhood; Convenience Store; Food or Drug Store; Fuel Dealer; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Manufacturing A; Micro-Brewery or Micro-Distillery; Museum or Art Gallery; Offices; Police or Fire Station; Recreation Facility, Public; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; Services, A; Shopping Center, Small; Storage Services, Retail; Utilities; Veterinary Services; Warehousing; Wholesale Trade A; and Child Day Care Center</li> </ul> <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.</p>
<b>Neighborhood Contact/Meeting</b>	The petitioner's neighborhood outreach summary is attached.
<b>Zoning District Purpose Statement</b>	The GB District is primarily intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2, 3, and Metro Activity Centers.
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</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 subject property is consolidating numerous uses in a planned development, with consolidated access along a thoroughfare.</p>

GENERAL SITE INFORMATION						
<b>Location</b>	East side of Indiana Avenue, south of Perimeter Point Boulevard					
<b>Jurisdiction</b>	Winston-Salem					
<b>Ward(s)</b>	North					
<b>Site Acreage</b>	± 1.11 acres					
<b>Current Land Use</b>	The site is developed with a one-story, 1,152-square foot gas station and car wash.					
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>			<b>Use</b>	
	North	LI			Religious institution and single-family homes	
	East	LI			Label manufacturer	
	South	HB-L			Motor vehicle body shop	
	West	LI			Construction materials supply and showroom	
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>					
	The requested uses are generally compatible with the high-intensity commercial and industrial uses permitted on surrounding properties and those in the general vicinity.					
<b>Physical Characteristics</b>	The subject property is relatively flat and paved with asphalt. The eastern property boundary is lined with dense vegetation, and the remaining sides are open.					
<b>Proximity to Water and Sewer</b>	The site has direct access to public water and sewer services from Indiana Avenue.					
<b>Stormwater/ Drainage</b>	The site is exempt from Post Construction Stormwater Management requirements because minimal to no new impervious area will be created.					
<b>Watershed and Overlay Districts</b>	The site is not located within any watersheds or overlay districts.					
<b>Analysis of General Site Information</b>	The fully developed site is within an intensely developed area with no anticipated constraints due to topography, drainage, or regulated watersheds and floodplains.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3263	HB-S to HB-L	Approved 5/14/2015	Directly south	± 2.0	Approval	Approval
W-2702	LI to HB-S	Approved 8/2/2004	Subject property	± 1.1	Approval	Approval
W-2304	LI to HB-S	Approved 4/5/1999	Directly south	± 2.0	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>
Indiana Avenue	Major Thoroughfare	227 feet	20,100	27,500
<b>Proposed Access Point(s)</b>	Because this is a Limited Use request without a site plan, proposed access points are unknown. However, the existing site has two access points from Indiana Avenue.			
<b>Planned Road Improvements</b>	There is no site plan associated with this request, so no improvements are required. The petitioner has not proposed any improvements with this request.			
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: HB-S</u>            162.78 trips x 10 fueling positions = 1,627.8 trips per day (Gasoline Service Station w/Convenience Market) + 108 trips x 6 stalls = 648 trips per day (Self-service Car Wash) = <b>2,275 total trips per day</b></p> <p>Because no development plan has been submitted with this request, no proposed trip generation can be calculated.</p>			
<b>Sidewalks</b>	There is sidewalk along the east side of Indiana Avenue, including along the site's frontage.			
<b>Transit</b>	WSTA Route 91 runs along this section of Indiana Avenue and has a stop north of the site at the intersection of Indiana Avenue and Perimeter Point Boulevard.			
<b>Connectivity</b>	Due to the current use and development of adjacent sites, staff does not suggest providing internal connections between the subject property and adjacent sites.			
<b>Transportation Impact Analysis (TIA)</b>	No TIA is required for this request.			
<b>Analysis of Site Access and Transportation Information</b>	This site's street frontage is fully developed with a sidewalk and two points of access to the adjacent thoroughfare, which has adequate capacity. Staff does not anticipate any transportation related issues associated with this request.			
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>				
<b>Legacy 2030 Growth Management Area</b>	GMA 2 – Urban Neighborhoods			
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• Encourage development in areas with existing infrastructure before extending infrastructure farther.</li> <li>• Growth concentrated in GMA 1 and 2 is more cost effective from a public service delivery standpoint, reduces the pressure for development in the Future Growth Area, preserves open space</li> </ul>			

	and rural areas, and avoids traffic congestion and costly new infrastructure.
<b>Relevant Area Plan(s)</b>	North Suburban Area Plan (2014)
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• This plan calls for the creation of new commercial opportunities and the improvement of existing commercial areas that blend with existing development and do not infringe on nearby neighborhoods.</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 located along a growth corridor.
<b>Site Located within Activity Center?</b>	The site is not located within an Activity Center.
<b>Comprehensive Transportation Plan Information</b>	The <i>Comprehensive Transportation Plan</i> indicates that this section of Indiana Avenue is planned to be a four-lane facility divided by a landscaped median, with bike lanes and sidewalks on either side of the road.
<b>Addressing</b>	The current address is 3719 Indiana Avenue. New construction will be assigned an address at the time of construction permitting.
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(3) - Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>(R)(4) - Is the requested action in conformance with <i>Legacy 2030</i>?</b>
	Yes
<b>Analysis of Conformity to Plans and Planning Issues</b>	The site is currently zoned HB-S with only two permitted uses. Rezoning to GB-L would allow the site to expand its current commercial services without placing emphasis on auto-oriented development that may encourage strip development. The proposed uses are also compatible with the uses permitted on the adjacent properties.
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>	
<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The request is consistent with the recommendation of <i>Legacy</i> regarding the reuse of vacant and underutilized commercial sites.	Some of the requested uses will generate more traffic than currently exists on Indiana Avenue.
The request is consistent with the recommendation of the <i>North Suburban Area Plan Update</i> for commercial development on this site.	
The request would allow more use flexibility on the site.	

**SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
  - a. Where possible, landscaping meeting the current standards for streetyard plantings shall be installed along the entire property frontage.

**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.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3429  
JANUARY 9, 2020**

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, Clarence Lambe, Chris Leak, Johnny Sigers, 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, Jason Grubbs, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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Aaron King  
Director of Planning and Development Services