

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3572
Staff	Kelly Bennett
Petitioner(s)	The Liberty Group, LLC
Owner(s)	Same
Subject Property	PIN 6835-19-2536
Address	0 Oak Street
Type of Request	Special Use Limited Rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from LI (Limited Industrial) to PB-L (Pedestrian Business-Limited). The petitioner is requesting the following uses:</p> <p>Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Home; Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Boarding or Rooming House; Building Contractors, General; Car Wash; Child Care, Drop-In; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Combined Use; Food or Drug Store; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Hospital or Health Center; Hotel or Motel; Institutional Vocational Training Facility; Library, Public; Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motorcycle Dealer; Museum or Art Gallery; Nursing Care Institution; Offices; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Postal Processing Facility; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services, A; Services, B; Shopping Center; Shopping Center, Small; Special Events Center; Stadium, Coliseum, or Exhibition Building; Swimming Pool, Private; Terminal, Bus or Taxi; Testing and Research Lab; Theater, Indoor; Transmission Tower; Urban Agriculture; Utilities; Veterinary Services; Warehousing: Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Cottage Court; Family Group Home B; Family Group Home C; Group Care Facility A; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Helistop; Access Easement, Private Off-Site; Shelter for Homeless; and Storage Services, Retail Internal.</p>

Neighborhood Contact/Meeting	As no residentially zoned property is located within 500 ft. of the subject property, neighborhood outreach was not required.		
Zoning District Purpose Statement	The PB District is primarily intended to accommodate office, retail, service, institutional, and high-density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the City and County. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.		
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 located within Growth Management Area 2 in an area that is being redeveloped with dense multifamily, commercial, and entertainment uses. By downzoning the entirety of the property to PB (Pedestrian Business), the remaining uses on the subject property will be those that will have minimal adverse impacts on the surrounding uses.		
GENERAL SITE INFORMATION			
Location	West side of Oak Street, between West Eighth Street and West Tenth Street		
Jurisdiction	Winston-Salem		
Ward(s)	North		
Ward(s) July 2023	North		
Site Acreage	± 0.15 acre		
Current Land Use	Undeveloped		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	PB	Condominiums
	East	PB-L	Multifamily residential and parking deck
	South	LI	Parking lot
	West	LI	Undeveloped property and a car wash
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 site is surrounded by properties zoned either PB, PB-L or LI.		
Physical Characteristics	The site is currently undeveloped.		

Proximity to Water and Sewer	The site has access to public water and sewer.					
Stormwater/ Drainage	There are no known drainage issues on the site. Due to the size of the property, no stormwater controls would be required.					
Watershed and Overlay Districts	The site is not located in a watershed or overlay district.					
Analysis of General Site Information	The site is currently undeveloped and has access to water and sewer. Nearby sites to the north and east were recently rezoned from LI to PB and PB-L. No significant development constraints exist on-site.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2853	LI to PB	Approval 06/09/2006	North	3.12	Approval	Approval
W-3441	LI to PB-L	Approval 07/06/2020	East	3.94	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Oak Street	Local Street	33.3 ft.	N/A	N/A		
Proposed Access Point(s)	As a site plan was not submitted with the request, site access cannot be determined at this time. The only access to the site is currently from Oak Street, a local street.					
Trip Generation - Existing/Proposed	As this is a Limited Use rezoning request with many uses and no site plan, trip generation cannot be determined.					
Sidewalks	There are sidewalks on both sides of Oak Street.					
Transit	WSTA routes 91 and 106 run along North Trade Street. The closest transit stop is located on North Trade Street between West Tenth Street and West Eleventh Street, about a .25-mile walk from the site.					
Analysis of Site Access and Transportation Information	The site is currently undeveloped with access to Oak Street. It is in a walkable section of Downtown with sidewalks and access to several transit routes.					
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy 2030 Growth Management Area	Growth Management Area 2 - Urban Neighborhoods					
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> Promote land use compatibility through good design and create a healthy mix of land uses in proximity to one another. Move away from the separating and buffering of some land uses and toward transitioning and blending those uses. Encourage both residential and nonresidential infill development/redevelopment versus greenfield development. 					

	<ul style="list-style-type: none"> • Encourage reuse of vacant and underutilized commercial and industrial sites. • Promote new, convenient, commercial and business services to support neighborhood needs.
Relevant Area Plan(s)	<i>North Central Winston-Salem Area Plan Update (2015)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The subject property is part of the North Trade Street Potential Mixed-Use Area (a Special Land Use Condition area). “Because much of the area is zoned General Industrial (GI) and Light Industrial (LI) and includes functioning industrial operations, this plan recommends keeping a flexible outlook and supports the growth and expansion of industrial uses here, but also supports ventures that develop new or convert existing industrial buildings to residential or a mixture of residential, commercial, and office uses.” • The revitalization of older/underutilized commercial and industrial sites and buildings is encouraged. • Continue revitalization of vacant or underutilized industrial sites in the planning area. Existing industrial sites could be converted to other uses compatible with surrounding residential areas.
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Rezoning Consideration from Section 3.2.19 A 16	Have changing conditions substantially affected the area in the petition?
	Yes
	Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	The subject property is located in the Industry Hill neighborhood, which is transforming from an industrial area to one with a mixture of residential and commercial uses. The rezoning is consistent with the <i>North Central Winston-Salem Area Plan Update</i> , which “supports ventures that develop new or convert existing industrial buildings to residential or a mixture of residential, commercial, and office uses.” The rezoning is also consistent with <i>Legacy 2030</i> , which encourages infill development/redevelopment and encourages the reuse of vacant and underutilized commercial and industrial sites.
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed request is consistent with the <i>North Central Winston-Salem Area Plan Update</i> land use recommendations.	The request will downzone an industrial property from LI to PB-L. This will limit the allowed uses on an industrial site within the

The proposed request is consistent with <i>Legacy 2030</i> .	City, which already has limited industrial property.
The rezoning will allow for reuse of an underutilized industrial property.	
Other nearby properties have recently been rezoned from LI to PB and PB-L.	

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-3572
MAY 11, 2023**

Bryan Wilson 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: Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

FOR: Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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