

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3402
Staff	Amy Crum
Petitioner(s)	Capital Bank National Association
Owner(s)	Same
Subject Property	PIN 6805-41-0494.00
Address	4809 Country Club Road
Type of Request	Special Use Limited rezoning from HB-S to HB-L
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB-S (Highway Business – Special Use) to HB-L (Highway Business – Special Use Limited). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Academic Biomedical Research Facility; Academic Medical Center; Arts and Crafts Studio; Banking and Financial Services; Building Materials Supply; Child Care, Drop-in; Club or Lodge; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; Kennel, Indoor; Library, Public; Micro-Brewery or Micro-Distillery; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices; Recreation Facility, Public; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center, Small; Veterinary Services; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; and School, Private <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 rezoning request, all uses in the proposed district must be considered.</p>
Neighborhood Contact/Meeting	The applicant sent out letters dated March 15, 2019, to adjacent property owners. A copy of the letter and a summary of responses are attached.
Zoning District Purpose Statement	The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. However, 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.

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes. The property is currently zoned HB-S. The rezoning request is to allow additional uses on the site. Furthermore, the site is located along a major thoroughfare within Growth Management Area 3.		
GENERAL SITE INFORMATION			
Location	North side of Country Club Road at the intersection of County Club Road and Southwin Drive		
Jurisdiction	City of Winston-Salem		
Ward(s)	West		
Site Acreage	± 2.41 acres		
Current Land Use	Vacant commercial building		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RM8-S	Apartment complex
	East	RM8-S	Apartment complex
	South	HB	Commercial properties
	West	HB	Commercial properties
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - 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 adjacent to HB-zoned property to the west and south along County Club Road. An apartment complex is adjacent to the property's boundary on the north and east.		
Physical Characteristics	The site is currently developed with a small, vacant retail building adjacent to Country Club Road. The rest of the site is undeveloped and wooded. There is a slight downward slope toward the northwest (rear) corner of the site. The western portion of the site is located within the floodplain of Silas Creek.		
Proximity to Water and Sewer	The property is served by public water and sewer.		
Stormwater/ Drainage	No known issues exist. The petitioner will be required to meet the provisions of the stormwater ordinance.		
Watershed and Overlay Districts	The site is not located within a watershed.		
Historic, Natural Heritage and/or Farmland Inventories	The site is not located in a historic district and has not received any type of historic designation. It is not a natural heritage site or on a farmland inventory.		
Analysis of General Site Information	Beyond the Silas Creek floodplain located along the western property line, the site does not appear to have any significant development constraints.		

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2734	RS9 and HB to HB-S	Approval 12/06/2004	Subject property	2.53	Approval	Approval
W-3237	RS9 and LO-S to GO-S	Approval 09/02/2014	Southeast	2.06	Approval	Approval
W-3235	HB to HB (SUP)	Approval 09/02/2014	West	2.55	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Country Club Road	Major Thoroughfare	373 feet	22,000	27,500		
Proposed Access Point(s)	As a site plan was not included with the rezoning, staff cannot confirm the number or location of access points to the site. Staff recommends that only one access be allowed from Country Club Road.					
Planned Road Improvements	No improvements to Country Club Road are proposed with the rezoning.					
Trip Generation - Existing/Proposed	<p><u>Existing HB-S (based on approved site plan of zoning case W-2734)</u> Retail Building #1: [8,400 SF x 44.32 (Specialty Retail Center trip rate)]/1000 SF = 372.29 trips Retail Building #2: [7,381 SF x 44.32 (Specialty Retail Center trip rate)]/1000 SF = 327.13 trips Total Trips Per Day: 372.29 + 327.13 = 699.42 trips</p> <p>As a site plan was not included with the rezoning, a determination on future trip generation is not possible.</p>					
Sidewalks	A sidewalk currently exists along Country Club Road at the property.					
Transit	There are two WSTA stops within a half-mile of the property. Route 81 has a stop at the intersection of Country Club Road and Jonestown Road approximately 0.3 mile east of the site. There is a stop for Route 95 at Vinegar Hill Road and Briarhurst Road approximately 0.45 mile west of the site.					
Transportation Impact Analysis (TIA)	A traffic impact analysis was not required for the rezoning.					
Analysis of Site Access and Transportation Information	Sidewalks currently exist along Country Club Road and transit routes currently serve the area. No improvements to Country Club Road are proposed as part of this request. Staff recommends that only one access drive be permitted from Country Club Road.					

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"> • Recycle and reuse land and buildings (p. 26). • Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area (p.141). • Encourage reuse of vacant and underutilized commercial and industrial sites (p. 57).
Relevant Area Plan(s)	<i>West Suburban Area Plan Update</i> (2018)
Area Plan Recommendations	<ul style="list-style-type: none"> • The area plan recommends commercial development for this site (p. 35) • 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. (p. 25)
Site Located Along Growth Corridor?	Country Club Road is identified as a growth corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Comprehensive Transportation Plan Information	The <i>Comprehensive Transportation Plan</i> (2012) recommends four lanes of traffic with a raised median, wide outside lanes and sidewalks for Country Club Road.
Greenway Plan Information	The <i>Greenway Plan Update</i> does not show a greenway on the property.
Addressing	As a site plan was not included with the rezoning request, it is not possible to determine the addressing for the site. Addresses will be assigned during the permitting process.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(R)(4) - Is the requested action in conformance with Legacy 2030?
	Yes
Analysis of Conformity to Plans and Planning Issues	The rezoning request is to allow for additional commercial uses on the site that were not included in the previous rezoning (W-2734). Commercial use of the property is compatible with the surrounding area as the site is located along a growth corridor and surrounded by commercial property to the west and south and a multifamily development to the north and east. Furthermore, the use of the site for commercial development is supported by the <i>West Suburban Area Plan Update</i> .

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request is consistent with the recommendations of <i>Legacy 2030</i> and the <i>West Suburban Area Plan Update</i> .	The request will add some additional traffic to the area and an additional access drive on Country Club Road.
The project will reuse a previously developed site for new commercial opportunities along an established growth corridor.	
The property is currently zoned for Highway Business – Special Use. The rezoning would allow for additional commercial uses on the site.	
Commercial use of the site is compatible with the surrounding area.	
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL	
<p>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.</p> <ul style="list-style-type: none"> • <u>PRIOR TO ISSUANCE OF GRADING PERMITS:</u> <ol style="list-style-type: none"> a. Developer shall obtain a driveway permit from NCDOT and the City of Winston-Salem; additional improvements may be required prior to issuance of driveway permit. b. Developer shall obtain a demolition permit from the Inspections Division prior to the removal of the existing structures on the site. c. Developer shall obtain an erosion control permit for any work that creates more than 10,000 square feet of land disturbance. The developer shall submit a professionally engineered Erosion and Sedimentation Control Plan to the Winston-Salem Erosion Control Division. d. Developer shall obtain a stormwater management permit that addresses both the high density water quality and the water quantity provisions of the City of Winston-Salem's Post Construction Stormwater Management ordinance. • <u>PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:</u> <ol style="list-style-type: none"> a. All required improvements of the City of Winston-Salem/NCDOT driveway permit shall be completed. • <u>OTHER REQUIREMENTS:</u> <ol style="list-style-type: none"> a. Any freestanding signage shall be limited to one monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet. 	

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.

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3402
APRIL 11, 2019**

Desmond Corley presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe,
Chris Leak, Brenda Smith

AGAINST: None

EXCUSED: None

Aaron King
Director of Planning and Development Services