

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3520
Staff	Marc Allred
Petitioner(s)	Andrew and Becky Coney
Owner(s)	Same
Subject Property	6832-39-7006
Address	141 Back Forty Drive
Type of Request	Special Use Limited rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from GB (General Business) to LI (Limited Industrial – 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 Contractors, General; Building Contractors, Heavy; Building Materials Supply; Car Wash, Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; College or University; Fuel Dealer; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; Manufacturing A; Manufacturing B; Micro-Brewery or Micro-Distillery; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Storage Yard; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Offices; Outdoor Display Retail; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; School, Vocational or Professional; Services, A; Services B; Special Events Center; Storage Services, Retail; Terminal, Bus or Taxi; Testing and Research Lab; Transmission Tower; Utilities; Warehousing; Wholesale Trade A; Wholesale Trade B; Dirt Storage; and Access Easement, Private Off-Site
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.
Zoning District Purpose Statement	The LI District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial and service activities which, in their normal operations, have little or no adverse effect upon adjoining properties. The district is established to provide locations for industrial development in GMAs 1, 2, 3 and 4 and Metro Activity Centers.

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 in an area with mostly industrial and high-intensity commercial zoning that is used as an industrial park.					
GENERAL SITE INFORMATION						
Location	Northern terminus of Back Forty Drive, on the west side of US 52					
Jurisdiction	Winston-Salem					
Ward(s)	Southeast					
Site Acreage	± 7.14					
Current Land Use	The site is currently a vacant, wooded lot.					
Surrounding Property Zoning and Use	Direction	Zoning District			Use	
	North	HB			Vacant land	
	East	GI			Industrial production	
	South	GB			Vehicle rental	
	West	RS9 and GB			Single-family home and vacant land	
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 proposed mixture of uses is compatible with the mixture of uses permitted on the adjacent properties, with proper buffering.					
Physical Characteristics	The site gradually slopes downward toward the northeastern corner of the site.					
Proximity to Water and Sewer	The subject property has access to public water and sewer from Back Forty Drive.					
Stormwater/ Drainage	No known stormwater or drainage issues exist on-site.					
Analysis of General Site Information	The site is located at the terminus of Back Forty Drive. The development along Back Forty Drive functions as an industrial park. The property is constrained by its configuration (flag lot) and a 20-foot drainage/utility easement along its eastern, northern, and western boundaries, but it is otherwise unencumbered by physical constraints.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1422	B-3 to I-2	Approved 3/9/1987	Back Forty Drive properties	± 30.36	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Back Forty Drive	Local Street	67 feet	N/A	N/A		
US 52	Freeway	981 feet	39,500	62,300		

Proposed Access Point(s)	The site will be accessed at the terminus of Back Forty Drive.
Trip Generation - Existing/Proposed	No trip generation is available for the existing General Use zoning or the proposed Special Use Limited zoning as neither includes a site plan. The site is currently undeveloped.
Sidewalks	There are no sidewalks in the general vicinity.
Transit	No transit is available in this area.
Analysis of Site Access and Transportation Information	The only access to this site is at the terminus of Back Forty Drive. Back Forty Drive is a City-maintained street that serves an industrial area. Staff does not anticipate any negative transportation-related impacts from this request.
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"> • Protect property owners from incompatible land uses. • 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. • Recognize the scarcity of good industrial land and promote the wisest economic use of those limited resources to generate needed jobs and create wealth for our community. • What constitutes “protection” of a neighborhood from development or redevelopment varies greatly through our community. Some residents express concern over nonresidential development near housing; others perceive increased residential densities or attached housing to be negative. • Ensure appropriate transitional land uses or physical buffering between residential and nonresidential uses to maintain the character and stability of neighborhoods.
Relevant Area Plan(s)	<i>South Suburban Area Plan Update (2017)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • Industrial development should be concentrated in designated industrial areas. • The plan recommends commercial use of the property. • New and redeveloped industrial uses should be designed in a manner that makes them compatible with nearby residential uses.
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?
	No.
	Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes.
Analysis of Conformity to Plans and Planning Issues	<p>The request is to rezone a 7.14-acre site from GB to LI-L. The petitioners have worked with Planning staff and neighboring property owners to reduce potential impacts on neighboring lots.</p> <p>The site is located within an existing industrial park, characterized by industrial and high-intensity commercial zoning. The <i>South Suburban Area Plan Update</i> recommends industrial use of the subject property, which is consistent with other recommendations to complete industrial infill development while providing additional bufferyard screening in appropriate locations. The proposed zoning will allow for a wide array of industrial uses that will have minimal impact on the surrounding area due to its proximity to US 52.</p>
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request is consistent with <i>Legacy</i> and area plan recommendations for land use at this location and industrial infill development generally.	The lot configuration makes access difficult without having an impact on neighboring properties.
The proposed zoning is more compatible with the existing zoning and development pattern along Back Forty Drive, where this site has access.	
The petitioner proposes to save existing trees and provide additional bufferyard screening along boundaries shared with adjacent residential properties.	
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL	
<p>The following conditions were proposed by the petitioner after conducting community outreach:</p> <ul style="list-style-type: none"> • <u>PRIOR TO ISSUANCE OF GRADING PERMITS:</u> <ul style="list-style-type: none"> a. Developer shall show a 120-foot Type III bufferyard along the shared property boundary with PIN 6832-38-1822. Existing vegetation removed for grading within this bufferyard shall be reinstalled at a rate of three (3) deciduous trees and eight (8) primary evergreen plantings per 100 linear feet. • <u>PRIOR TO ISSUANCE OF BUILDING PERMITS:</u> <ul style="list-style-type: none"> a. Access into the property from Back Forty Drive shall be shown on a site plan as a paved surface. 	

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-3520
MAY 12, 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, Walter Farabee, Jason Grubbs, 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, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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