

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket	W-3587		
Staff	Marc Allred		
Petitioner(s)	Suso 4 Harper Hill, LP		
Owner(s)	Same		
Subject Property	PIN 6805-21-5989		
Address	101 Vinegar Hill Road		
Type of Request	Special Use Rezoning		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from PB-S (Pedestrian Business – Special Use) to GB-S (General Business – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Shopping Center and Kennel, Indoor 		
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.		
Zoning District Purpose Statement	<p>The GB District is primarily intended to accommodate a wide range of retail, service, office, and high-density residential uses located along thoroughfares in areas which have developed with minimal front setbacks. 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 and 3, and Metro Activity Centers.</p>		
Rezoning Consideration from Section 3.2.19 A 16	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	<p>Yes. The requested uses fall into the general category of retail and office uses. The subject property is situated within GMA 3 and has direct access to a major thoroughfare (Country Club Road). The site also has access to public water and sewer.</p>		
GENERAL SITE INFORMATION			
Location	Southeast intersection of Country Club Road and Vinegar Hill Road.		
Jurisdiction	Winston-Salem		
Ward(s)	West		
Site Acreage	± 0.54 acres		
Current Land Use	Shopping Center		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	HB, PB-S, and GB-S	Convenience store, retail store, and restaurant with drive through service.

	East	HB	Motor vehicle repair and maintenance			
	South	PB-S	Shopping center			
	West	PB-S	Shopping center			
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 properties in the vicinity are also developed with commercial uses.					
Physical Characteristics	This developed site is a portion of the Harper Hill Commons shopping center. The site contains a 7,980 square-foot retail building and a paved parking area.					
Proximity to Water and Sewer	The site has existing access to public water and sewer.					
Stormwater/ Drainage	Stormwater management would continue to operate as originally permitted as the request does not include any increase in impervious area. Therefore, staff does not foresee any additional stormwater impacts being generated.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	<p>The site is currently developed, and no changes are proposed to the existing building or parking area. The site is surrounded by commercial zoning and would not typically have any setback requirements in the proposed GB district. However, the proposed indoor kennel use includes a requirement for a 20-foot setback from any side lot line and a 40-foot setback from any rear lot line. As the site is already developed and is surrounded by high-intensity commercial land uses, the applicant is requesting zero (0) foot side and rear setbacks as part of the special use zoning approval process.</p> <p>The proposed site plan shows 18 existing parking spaces. Additional parking will be provided in the part of the shopping center that exists as a separate parcel. A shared parking and cross-access agreement will need to be recorded prior to the issuance of occupancy permits to ensure that the requested use meets minimum parking requirements.</p>					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3089	PB-S to GB-S	Approved 2/7/2011	North	1.96	Approval	Approval
W-2530	RS9, RM18, and HB to PB-S	Approved 3/24/2002	Contains current request	17.48	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	77 feet	19,000	31,700
Vinegar Hill Road	Local Street	143 feet	N/A	N/A
Old Country Club Road	Local Street	218 feet	N/A	N/A
Proposed Access Point(s)	There are no proposed changes to the existing access points. The proposed site plan illustrates two access points to Old Country Club Road and one internal access connection to 4896 Country Club Road, to the east.			
Trip Generation - Existing/Proposed	Staff does not anticipate a significant change in trip generation for the additional kennel, indoor use. No other development changes are requested. Therefore, the trip generation of 393 trips per day will remain the same (7980sf / 1000 x 42.94 [shopping center trip rate]).			
Sidewalks	Sidewalks exist along Country Club Road, Old Country Club Road, and Vinegar Hill Road.			
Transit	WSTA route 95 stops immediately north of the subject property on Country Club Road.			
Analysis of Site Access and Transportation Information	There are no proposed site access changes as a part of this request. The site has good multimodal transit access. Staff does not foresee any transportation-related issues with this request.			
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS				
Building Square Footage	Square Footage		Placement on Site	
	7,980 (existing building)		Western portion of the site	
Parking	Required	Proposed	Layout	
	29	29 (18 existing on-site spaces and 11 off-site spaces).	90-degree angle parking. Property is part of a larger shopping center which provides additional parking.	
Impervious Coverage	Maximum		Proposed	
	100%		85.19%	
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 4.6.10: General Business District Section 5.2.80: Shopping Center use-specific standards Section 5.2.41: Kennel, Indoor use-specific standards 			
Complies with Section 3.2.11	(A) Legacy 2030 policies:		Yes	
	(B) Environmental Ord.		N/A	
	(C) Subdivision Regulations		N/A	
Analysis of Site Plan Compliance	This request proposes adding the Kennel, Indoor use to an existing shopping center. The petitioner is requesting this rezoning as the Kennel, Indoor use is not allowed in the current PB zoning district. Additionally,			

with UDO Requirements	<p>the applicant is proposing to eliminate the required side and rear setbacks for the Kennel, Indoor use. While such a request would normally require approval from the Board of Adjustment, City Council is allowed to consider this reduction as part of a Special Use rezoning request.</p> <p>The existing structure is ideally situated to accommodate pedestrian and vehicular traffic and is surrounded by established commercial land uses.</p>
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	GMA 3 (Suburban Neighborhoods)
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> Facilitate the location of local-serving retail and public amenities at easy-to-access locations within neighborhoods. Encourage convenient services at designated areas to support neighborhoods consistent with the Growth Management Plan.
Relevant Area Plan(s)	<i>West Suburban Area Plan Update (2018)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> The area plan proposed land use map recommends commercial uses for this site. The reuse of vacant buildings and the redevelopment of existing sites is recommended, where possible.
Site Located Along Growth Corridor?	The site is located along the Country Club Road commercial growth corridor.
Site Located within Activity Center?	The site is located within the Harper Hill Commons Activity Center.
Comprehensive Transportation Plan Information	The Winston-Salem Metropolitan Planning Organization’s CTP recommends various facility improvements to modernize this section of Country Club Road. No additional right-of-way or facility improvements have been requested as a part of this rezoning.
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 Legacy 2030?
	Yes
Analysis of Conformity to Plans and Planning Issues	The request is to rezone a ± 0.54-acre property from PB-S to GB-S in order to add the use Kennel, Indoor and to propose a reduction in use-specific side and rear setback requirements. The proposed site plan shows an existing 7,980-square foot building and parking area that is part of the larger Harper Hill Commons Shopping Center. The site is surrounded by commercial zoning, including a site to the north that was rezoned from PB-S to GB-S in 2011.

	<p>The <i>West Suburban Area Plan Update</i> recommends commercial land uses for the subject property. The additional uses that would be allowed in the proposed GB district are appropriate within the surrounding commercial area, and the request is generally consistent with <i>Legacy</i>, which recommends concentrating services and amenities in accessible and convenient areas.</p>	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal	Negative Aspects of Proposal	
The request is consistent with Area Plan’s proposed land use recommendation for commercial development	<p>The proposed Kennel, Indoor use will not meet minimum use-specific setbacks unless the requested setback reduction is also approved.</p>	
The request is compatible with the Harper Hill Commons Activity Center and surrounding commercial land uses.		
The request would allow for additional neighborhood services, which is in keeping with <i>Legacy 2030</i> objectives.		
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL		
<p>The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:</p> <ul style="list-style-type: none"> • <u>OTHER REQUIREMENTS:</u> <ol style="list-style-type: none"> a. All existing or proposed buildings shall maintain the existing building design and materials as approved in rezoning case W-2530. Any modification of elevations will require an administrative staff change at a minimum and may require a Site Plan Amendment. b. No freestanding signage shall be allowed. 		

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-3587
JULY 13, 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: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Lindsey Schwab, Brenda Smith

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

FOR: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Lindsey Schwab, Brenda Smith

AGAINST: None

EXCUSED: None

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