

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3346
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Marketplace Mall, LLC
Owner(s)	Same
Subject Property	Portion of PIN# 6824-97-1002
Address	2101 Peters Creek Parkway
Type of Request	Special use limited rezoning from HB to GB-L
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB (Highway Business) to GB-L (General Business – special use limited). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; Boarding or Rooming House; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Urban Agriculture; Arts and Crafts Studio; Building Materials Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Micro-Brewery or Micro-Distillery; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store; Shopping Center; Shopping Center, Small; Wholesale Trade A; Banking and Financial Services; Bed and Breakfast; Car Wash; Entertainment Facility, Large; Funeral Home; Hotel or Motel; Kennel, Indoor; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Storage Yard; Offices; Services, A; Services, B; Storage Services, Retail; Testing and Research Lab; Veterinary Services; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Animal Shelter, Public; Cemetery; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices, Neighborhood Organization, or Post Office; Group Care Facility A; Group Care Facility B; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; Special Events Center; Stadium, Coliseum or Exhibition Building; Manufacturing A; Access Easement, Private Off-Site; Helistop; Park

	and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities		
	NOTE: General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.		
Neighborhood Contact/Meeting	See Attachment B for a summary of the petitioner’s neighborhood outreach efforts.		
Zoning District Purpose Statement	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 and 3 and Metro Activity Centers.		
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 subject property is currently zoned for commercial use and it is developed with destination retail and service uses. The site is also located along an expressway and it is adjacent to other commercially zoned properties.		
GENERAL SITE INFORMATION			
Location	East side of Peters Creek Parkway, north of Salisbury Ridge Road		
Jurisdiction	City of Winston-Salem		
Ward(s)	South		
Site Acreage	± 24.64 acres		
Current Land Use	Currently located on the site is the Marketplace Mall which is a 177,600 square foot, multi-tenant shopping center along with a 21,066 square foot cinema and associated parking areas.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RMU and RS9	Undeveloped property across Salem Creek along with commercial and multifamily development.
	East	IP and RS9	Salem Creek Greenway and the Washington Park neighborhood
	South	HB and RS9	Commercial establishments and undeveloped property
	West	HB	Commercial establishments
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?		
	The proposed uses are compatible with the commercial uses permitted on the adjacent HB zoned properties and less compatible with the uses permitted on the adjacent residentially zoned properties.		

Physical Characteristics		The site is developed with the Marketplace Mall and has a gentle slope downward toward the northwest. The northern edge of the site borders Salem Creek and with the exception of a small area in the southeastern portion of the site, the property is located within the regulatory floodplain of Salem Creek.				
Proximity to Water and Sewer		The site has access to public water and sewer.				
Stormwater/ Drainage		See comments regarding the Salem Creek floodplain.				
Watershed and Overlay Districts		The site is not located within a water supply watershed.				
Analysis of General Site Information		The site is currently developed with a large, multi-tenant shopping mall and a theater which were constructed in the mid 1980's. The northern property line of the site abuts Salem Creek. The majority of the site, including the two buildings, are located within the floodplain of Salem Creek.				
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3030	HB to LO	Approved 5-4-2009	500' south	.73	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name		Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
Peters Creek Parkway		Expressway	387'	23,000	73,400	
Proposed Access Point(s)		Because this is a special use limited request with no site plan, the exact location of access points is unknown. The site currently has one access point onto Peters Creek Parkway.				
Trip Generation - Existing/Proposed		No trip generation is available for the existing or proposed zonings as neither includes a site plan. Staff would not anticipate a negative impact on the transportation network as a result of this request.				
Sidewalks		Sidewalks are located along Peters Creek Parkway.				
Transit		Route 83 serves Peters Creek Parkway.				
Analysis of Site Access and Transportation Information		The subject property is located along Peters Creek Parkway which is an expressway with ample capacity. The site also has access to transit and sidewalk accommodations. Staff does not foresee any transportation related issues associated with the subject request.				
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy 2030 Growth Management Area		Growth Management Area 2 - Urban Neighborhoods				
Relevant Legacy 2030		<ul style="list-style-type: none">Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area.				

Recommendations	<ul style="list-style-type: none"> Encourage reuse of vacant and underutilized commercial and industrial sites.
Relevant Area Plan(s)	<i>South Central Winston-Salem Area Plan Update (2014)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> The Proposed Land Use Map shows the subject property as an existing commercial land use. <p>Special Land Use Conditions for this property include the following recommendations regarding the improvement of pedestrian and bicycle access:</p> <ul style="list-style-type: none"> Provide a path or a sidewalk to Marketplace Mall from Salisbury Ridge Road. Build a bridge across Salem Creek to connect the extension of the Salem Creek Greenway and Market Place with the residential neighborhoods north of Salem Creek.
Site Located Along Growth Corridor?	The site is located along the Peters Creek Parkway Growth Corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Greenway Plan Information	<p>Currently, the entrance to the Salem Creek Greenway is located at the northeastern end of the subject property. The petitioner has agreed to provide a fifty (50) foot wide public easement for access and maintenance of this facility.</p> <p>The <i>Greenway Plan Update</i> lists the Salem Creek Greenway Extension as a Tier 1 project which would connect said existing greenway to Forsyth Technical Community College. The City is in the process of identifying a consultant who will study the feasibility of this extension.</p>
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 <i>Legacy 2030</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The request is to rezone the Marketplace Mall site from HB to GB-L. The petitioners are requesting all the uses permitted in the GB district with the exception of the following uses: Fuel Dealer; Building Contractors, General; Correctional Institution; Dirt Storage; Construction & Demolition; Landfill, Land Clearing/Inert Debris; Shelter for Homeless; Borrow Site; and Adult Establishments.</p> <p>The most commonly noted distinctions between HB and GB are that the GB district also allows for the uses of Residential Building, Multifamily and Manufacturing A and it allows for a 30% reduction in required parking.</p>

	<p>The request is consistent with the <i>South Central Winston-Salem Area Plan Update</i> which recommends commercial land use for the site. The northeastern portion of the subject property includes the entrance to the Salem Creek Greenway. This area is located within the floodway portion of the Salem Creek floodplain where essentially no development is allowed. The petitioner has agreed to provide an easement for access and maintenance of this existing public facility which is located in this area.</p> <p>Staff recommends approval of the subject request and notes that the above mentioned parking reduction allowed in the GB district, may permit additional development and/or redevelopment to occur on the site.</p>
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request is consistent with the recommendations of the area plan.	The requested zoning may allow for increased development within the floodplain.
The site has been commercially zoned and developed for many years.	
The site is located along a growth corridor and is adjacent to other commercially zoned and developed properties.	
The request is consistent with the purpose statement of the GB district.	
The site is located within GMA 2 and the GB district permits a 30% reduction in required parking.	
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"><p><u>PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:</u></p><p>a. Developer shall dedicate a fifty (50) foot wide public greenway easement to the City of Winston-Salem in the northeastern portion of the site where the existing Salem Creek Greenway is located. Said easement shall extend twenty-five (25) feet in width on each side of the centerline of the existing asphalt path.</p>	

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-3346
OCTOBER 12, 2017**

Aaron King presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: George Bryan moved approval of the zoning map amendment.

SECOND: Allan Younger

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Chris Leak, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services