

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket</b>	W-3519
<b>Staff</b>	<a href="#">Daniel Rankin</a>
<b>Petitioner(s)</b>	CALCO, Inc.
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN 6823-77-9900
<b>Address</b>	3169 Peters Creek Parkway
<b>Type of Request</b>	Special Use rezoning from HB-S to GB-S
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> HB-S (Highway Business – Special Use) <b>to</b> GB-S (General Business – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Food or Drug Store; Offices; Restaurant (with drive-through service); Restaurant (without drive-through service); and Retail Store</li> </ul>
<b>Neighborhood Contact/Meeting</b>	A summary of the petitioner’s neighborhood outreach is attached.
<b>Zoning District Purpose Statement</b>	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.
<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<p><b>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Mostly yes. The requested uses are commercial and fall into the general categories of retail and office uses, and the proposal would add a new building to the existing site with consolidated access from Southpark Boulevard. The subject property is situated within GMA 3 (Suburban Neighborhoods) along an expressway (Peters Creek Parkway) and collector street (Southpark Boulevard).</p> <p>The area in which the subject property is situated is not typified by buildings with minimal front setbacks; however, the proposal generally fits within the context of its surroundings and would decrease the front setback from Peters Creek Parkway relative to the existing building on the property. The proposal could be seen as accommodating strip commercial development; however, the proposed site plan would add use-intensity to the existing property by developing an existing</p>

	underutilized parking lot with a new building and associated improvements.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	Northeast corner of Peters Creek Parkway and Southpark Boulevard		
<b>Jurisdiction</b>	Winston-Salem		
<b>Ward(s)</b>	South		
<b>Site Acreage</b>	± 2.57 acres		
<b>Current Land Use</b>	The site is currently unoccupied and was previously occupied by a restaurant (without drive-through service).		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	HB-S and RS-9	Banking and Financial Services; Single-family Residential
	South	HB-S	Banking and Financial Services
	East	HB-S	Storage Services, Retail
	West	HB-S	Convenience Store (gas station)
<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<b>Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>		
	The list of proposed uses is compatible with the adjacent commercial uses. Some of the proposed uses (e.g., Restaurant (with drive-through service)) are less compatible with the adjacent residential use. However, effective buffering could lessen the effects of this issue.		
<b>Physical Characteristics</b>	<p>The site was largely developed previously and consists of impervious surfaces (asphalt parking lot and existing building) with some lawn areas and landscaping. The existing, vacant building was constructed in 1992, has an almost entirely masonry finish, and includes a drive aisle canopy at the primary building entry.</p> <p>The site generally slopes downward towards the west. There is a more significant upward slope just off the subject property's west side. The subject property is also somewhat elevated relative to the adjacent northern properties, with a fair slope at the north side of the property. There is a thin strip of trees/woods between the subject property and the adjacent residential property to the north and some off-site landscaping between the subject property and the existing bank to the north. There is also some established existing landscaping along the Southpark Boulevard and Peters Creek Parkway frontages.</p>		
<b>Proximity to Water and Sewer</b>	The site has an existing connection with a public water main at Mill Drive. A public water main is also accessible from Southpark Boulevard. Public sewer is available just off of the subject property's northern, western, and southern property lines.		

<b>Stormwater/ Drainage</b>	The proposed development is exempt from the City of Winston-Salem’s Post Construction Stormwater Management Ordinance provisions as the area of impervious surfaces is not increasing relative to existing conditions. The proposed site plan states that there is a reduction in the total on-site area of impervious surfaces. The proposed stormwater management systems/devices (e.g., new catch basins at curbs and associated storm drainage piping) will be reviewed as part of the regular building permit application review process.
<b>Watershed and Overlay Districts</b>	The subject property is not located within a regulated watershed or overlay district.
<b>Analysis of General Site Information</b>	<p>The proposed uses are generally compatible with other properties in the vicinity and effective buffering could lessen negative impacts to the adjacent residential property.</p> <p>Because the site has been previously developed as a restaurant with a parking lot, the topographic constraints of the site are not substantial. The proposed site plan states that there is a reduction of the percentage of on-site impervious surface coverage relative to the existing site conditions. The site is also near public water and sewer services.</p>

**RELEVANT ZONING HISTORIES**

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1096	R-5 to B-3-S (Two Phase)	Approved 3/19/1984	Included subject property	21.6	Approval	Approval
W-1204	Site Plan Amendment	Approved 11/5/1984	Included subject property	21.64	Approval	Approval
W-1204	Final Development Plan	Approved 2/11/1988	Subject property	2.2	Approval	Approved

**SITE ACCESS AND TRANSPORTATION INFORMATION**

Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Southpark Boulevard	Collector Street	± 508 feet	N/A	N/A
NC 150 (Peters Creek Parkway)	Expressway	± 190 feet	24,000 (2013)	73,400
<b>Proposed Access Point(s)</b>	The proposed site plan shows one consolidated access point from Southpark Boulevard. The westernmost existing driveway is proposed to be closed.			
<b>Planned Road Improvements</b>	The proposed site plan shows a new proposed left turn lane on Southpark Boulevard, allowing for left turns onto the site from			

	<p>Southpark Boulevard. Curb and gutter improvements along part of the property boundary with Southpark Boulevard are also shown.</p> <p>The 2012 <i>Comprehensive Transportation Plan</i> shows this portion of NC 150 (Peters Creek Parkway) as a six-lane road with a raised median, curb, and gutter with wide outside lanes (to accommodate bicycle traffic) and sidewalks on each side. The plan does not show a proposed cross-section for Southpark Boulevard.</p>
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning – HB-S:</u></p> <p>Existing building is 11,700 square feet.</p> <p><math>11,700/1,000 = 11.7 \times 127.15</math> (high-turnover restaurant trip rate) = 1,488 trips per day</p> <p><u>Proposed Zoning – GB-S:</u></p> <p>Proposed building is 2,363 square feet.</p> <p><math>2,363/1,000 = 2.363 \times 496.12</math> (drive-through restaurant trip rate) = 1,172 trips per day</p> <p>The proposed site plan does not identify a definitive use for the existing, vacant building; therefore, several scenarios are possible for this building. Assuming that the previous use of the existing building is utilized, overall site trip generation would be calculated by adding the previous total to the additional proposed trips generated by the new drive-through restaurant:</p> <p><math>1,488 + 1,172 = \mathbf{2,660 \text{ trips per day}}</math></p>
<b>Sidewalks</b>	<p>Five-foot wide sidewalks are proposed along Peters Creek Parkway and part of the site’s frontage along Southpark Boulevard. The remaining portion of the site’s frontage along Southpark Boulevard (east of the remaining driveway) has an existing sidewalk which will remain. The proposed site plan shows these sidewalks connecting with an on-site pedestrian network leading to the proposed building.</p>
<b>Transit</b>	<p>WSTA Route 83 stops north of the intersection of Peters Creek Parkway and Southpark Boulevard. The north-bound stop is just off the northwest corner of the subject property and the proposed site plan shows a concrete pad for a future bus shelter.</p>
<b>Connectivity</b>	<p>The proposed site plan states that the subject property is to be subdivided after rezoning, which would create a 32,666 square foot parcel on the west side of the subject property. A cross-access easement will be required along with any required easements for utilities.</p>

<b>Transportation Impact Analysis (TIA)</b>	A TIA is not required.		
<b>Analysis of Site Access and Transportation Information</b>	<p>The subject property has frontage along Peters Creek Parkway and Southpark Boulevard, with vehicular access from Southpark Boulevard (allowing for left and right turns onto the site). Proposed and existing sidewalks are also shown on the proposed site plan along these two roads, which provide a pedestrian connection to the site and the proposed building.</p> <p>Based on existing/proposed conditions, the proposal will not generate more trips per day relative to the former K&amp;W Cafeteria; however, the subject property could ultimately generate more trips per day (relative to the former K&amp;W Cafeteria) depending on the use(s) which could occupy the site's existing vacant building.</p>		
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>			
<b>Building Square Footage</b>	<b>Square Footage</b>		<b>Placement on Site</b>
	2,363 (proposed building); 11,700 (existing building)		Northwestern portion (proposed building); eastern portion (existing building)
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>	<b>Layout</b>
	99 spaces for the entire site (assumes existing, vacant restaurant remains a restaurant)	115 spaces for the entire site (includes stacking spaces at proposed drive-through)	90-degree stalls and approximately 60-degree stalls
<b>Building Height</b>	<b>Maximum</b>		<b>Proposed</b>
	60 feet		One story
<b>Impervious Coverage</b>	<b>Maximum</b>		<b>Proposed</b>
	No limit		± 75.5 percent
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>• Section 4.6.10: General Business District</li> <li>• Section 5.2.73: Retail Store (potential future application)</li> </ul>		
<b>Complies with Section 3.2.11</b>	<b>(A) Legacy 2030 policies:</b>	Yes	
	<b>(B) Environmental Ord.</b>	N/A	
	<b>(C) Subdivision Regulations</b>	Existing parcel is proposed to be divided into two parcels following proposed rezoning. This would be a minor subdivision per UDO Section 7.3.3. A subdivision would require a cross-access easement and any necessary utility easements.	

<b>Analysis of Site Plan Compliance with UDO Requirements</b>	<p>The request would allow for an optional reduction in the required number of parking stalls and the proposed site plan shows a reduction in impervious surface coverage. Requiring sufficient, but not excessive, parking is also supported by <i>Legacy 2030</i>.</p> <p>Because the subject property abuts a single-family residential property, a Type III buffer yard is required. The proposed site plan shows a 20-foot bufferyard meeting this requirement. The proposed site plan also states that replanting with new vegetation is to occur to the east of the required bufferyard area following the installation of the proposed utility connections in this area and that some of the existing wooded area in this part of the property (towards the north-east corner of the property) is to remain.</p>
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy 2030 Growth Management Area</b>	<p>GMA 3 (Suburban Neighborhoods)</p>
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• Concentrate development within the serviceable land area of Forsyth County with the highest intensities at city/town center, activity centers and along growth corridors.</li> <li>• Promote a mixture of office, retail, and housing along growth corridors that do not contribute to strip development.</li> <li>• Require sufficient, but not excessive parking, while protecting adjacent land uses, surrounding neighborhoods, and the environment.</li> <li>• Encourage both residential and nonresidential infill development/redevelopment versus greenfield development.</li> <li>• Promote compatible infill development that fits with the context of its surroundings.</li> </ul>
<b>Relevant Area Plan(s)</b>	<p><i>South Suburban Area Plan Update (2017)</i></p>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• The revitalization of older / underutilized commercial and industrial sites and buildings is to be encouraged.</li> <li>• Commercial development should be concentrated in designated areas and not allowed to take the form of strip development along the major roads in the planning area.</li> <li>• The Proposed Land Use Map recommends the subject property for commercial use.</li> <li>• Along the Peters Creek Parkway (NC 150) Growth Corridor: Develop new commercial, office, and multifamily uses with a suburban form... between I-40 and Sides Road...</li> <li>• Rezone land for business/industrial development in a manner consistent with the Proposed Land Use Plan.</li> </ul>

<b>Site Located Along Growth Corridor?</b>	The subject property is situated along the Peters Creek Parkway (NC 150) Growth Corridor.
<b>Site Located within Activity Center?</b>	The subject property is not located within an activity center.
<b>Comprehensive Transportation Plan Information</b>	The <i>2012 Comprehensive Transportation Plan</i> shows this portion of NC 150 (Peters Creek Parkway) as being a six-lane road within a 150-foot right-of-way with a raised median, curb, and gutter with wide outside lanes (to accommodate bicycle traffic) and sidewalks on each side. The plan does not show a proposed cross-section for Southpark Boulevard.
<b>Other Applicable Plans and Planning Issues</b>	<p>The <i>Peters Creek Parkway Growth Corridor Plan</i> (2019) includes the subject property within its study area, in the Central Section.</p> <p>This plan recommends adding missing sidewalk sections along the corridor; locating buildings away from the street edge; locating parking to the front or sides of the building; providing pedestrian connections between sidewalks and front building entrances; and installing crosswalks between parking areas and front building entrances.</p> <p>The plan also recommends recessing building entrances to create demarcated front door spaces, designing parking to occupy no more than 50 percent of the street frontage, and providing cross-access easements with adjacent parcels.</p>
<b>Addressing</b>	Addresses will be assigned prior to the issuance of building permit(s).
<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<b>Have changing conditions substantially affected the area in the petition?</b>
	No.
	<b>Is the requested action in conformance with <i>Legacy 2030</i>?</b>
	Yes.
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>The request is to rezone the ± 2.57-acre property from HB-S to GB-S in GMA 3. The proposed site plan shows a new 2,363-square foot restaurant with a drive-through and an existing, vacant building (previously a sit-down restaurant) to remain. The subject property is largely adjacent to other HB-S districts and commercial uses but borders a RS9 district for a short distance along its northern boundary.</p> <p>The <i>South Suburban Area Plan Update</i> recommends a commercial use for the subject property and the proposed uses conform with this. The general purpose of the rezoning request is to accommodate a reduction in the amount of required parking; providing sufficient (but not excessive) parking is a <i>Legacy</i> recommendation. The scale and intensity of the proposed use also fits within the context of other nearby development on the Peters Creek Parkway Growth Corridor.</p>

The proposed site plan situates the proposed infill building within an existing underutilized parking lot, thereby intensifying the use of the site while also decreasing the amount of on-site impervious surfaces. The proposal can be seen as adding strip commercial development to Peters Creek Parkway; however, the proposal would also redevelop an existing underutilized site that is currently vacant.

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The proposal fits within the context of the Peters Creek Parkway Growth Corridor along which it is situated.	The proposal can be seen as adding commercial strip development along Peters Creek Parkway.
The <i>South Suburban Area Plan Update</i> recommends the site for commercial use.	
The general purpose of the proposal is to reduce the amount of required parking, which is generally in keeping with a stated <i>Legacy</i> objective.	The proposal will increase traffic along Peters Creek Parkway and Southpark Boulevard.
The proposal repurposes an underutilized parking lot and adds use intensity to an existing site while also decreasing the overall area of impervious surfaces on the site.	

**SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
  - a. Developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of the driveway permit(s). Required improvements include:
    - Closing the westernmost driveway connecting to Southpark Boulevard (as shown on the proposed site plan);
    - Construction of sidewalks along Southpark Boulevard and Peters Creek Parkway, including construction of a concrete pad for a future bus stop shelter along Peters Creek Parkway (as shown on the proposed site plan);
    - Installation of curb and gutter improvements along Southpark Boulevard; and
    - Installation of a left-turn lane on Southpark Boulevard (as shown on the proposed site plan).
  
- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
  - a. If the property is subdivided, the developer shall record a plat in the office of the Register of Deeds. The plat shall show tentative building locations, all access easements, and any necessary utility easements.



b. Any retaining wall shall be earth tone in color or shall match the color of the primary building, as verified by Planning staff.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
  - a. Developer shall complete all requirements of the driveway permit.

**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.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3519  
APRIL 20, 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: Walter Farabee

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Brenda Smith

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Walter Farabee

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Brenda Smith

AGAINST: None

EXCUSED: None

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