

**CITY-COUNTY PLANNING BOARD  
DRAFT STAFF REPORT**

PETITION INFORMATION	
<b>Docket #</b>	W-3351
<b>Staff</b>	<a href="#">Gary Roberts, Jr. AICP</a>
<b>Petitioner(s)</b>	Marketplace Mall, LLC
<b>Owner(s)</b>	Same
<b>Subject Property</b>	Portion of PIN# 6824-97-1002
<b>Address</b>	The undeveloped site does not have an assigned address. It is in the same ownership and connected to 2101 Peters Creek Parkway (Marketplace Mall).
<b>Type of Request</b>	Special use limited rezoning from RS9 to GB-L
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> RS9 (Residential, Single Family – 9,000 sf minimum lot size) <b>to</b> GB-L (General Business – special use limited). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>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;</li> </ul>

	Manufacturing A; Access Easement, Private Off-Site; Helistop; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities		
	<b>NOTE:</b> 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)	<b>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes, the subject property is adjacent to a commercially zoned destination retail and service shopping mall. The site is also located along a minor thoroughfare and it is within GMA 2.		
GENERAL SITE INFORMATION			
Location	North side of Salisbury Ridge Road, west of Park Boulevard		
Jurisdiction	City of Winston-Salem		
Ward(s)	South		
Site Acreage	± .65 acre		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	HB	Marketplace Mall
	East	RS9	Undeveloped property
	South	HB	Compare Food Store
	West	HB	Undeveloped property and a business use
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	<b>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>		
	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. However, the request includes a condition that would prevent the construction of buildings on the site.		
Physical Characteristics	The site has a steep to moderate slope downward to the north toward the parking area of Marketplace Mall. The site is vegetated with Kudzu but includes one mature Poplar tree which appears to be located within the		

	eastern edge of the site. The property is located outside of the regulatory floodplain of Salem Creek.					
Proximity to Water and Sewer	The site has access to public water and sewer.					
Stormwater/ Drainage	It appears that a public storm drain from Salisbury Ridge Road empties onto the subject property.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The undeveloped site is adjacent to/and within the same ownership as the Marketplace Mall site which is developed with a large, multi-tenant shopping mall and a theater which were constructed in the mid 1980's. The site is not located within the regulatory floodplain of Salem Creek; however, it does include some challenging topography.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3346	HB to GB-L	Approved 11-6-17	Directly north	24.64	Approval	Approval
W-3030	HB to LO	Approved 5-4-2009	600' west	.73	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name		Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
Salisbury Ridge Road		Minor Thoroughfare	108'	4,100	13,800	
Proposed Access Point(s)		The purpose of the request is to provide an access from Salisbury Ridge Road through the subject property into the adjacent Marketplace Mall site. The mall currently has its only access point from Peters Creek Parkway.				
Trip Generation - Existing/Proposed		<u>Existing Zoning: RS9</u> .65 acre x 43,560 sf / 9,000 sf = 3 units x 9.57 (SFR Trip Rate) = 29 Trips per Day  <u>Proposed Zoning: GB-L</u> No trip generation is available for the proposed zoning as it does not include a site plan.				
Sidewalks		No sidewalks are located in the general area; however, staff recommends the construction of a sidewalk along the proposed new access drive as per the recommendations of the <i>South Central Winston-Salem Area Plan Update</i> .				

<b>Transit</b>	Route 85 serves the intersection of Salisbury Ridge Road and Buchanan Street located approximately 100' to the east of the subject property.
<b>Analysis of Site Access and Transportation Information</b>	<p>The site is located along a minor thoroughfare which has ample capacity and is served with transit. The purpose of the request is to gain a secondary access to Marketplace Mall which is now accessed from Peters Creek Parkway. The request is consistent with the area plan which recommends such a connection across the subject property.</p> <p>The proposed secondary access point would help to disperse traffic between Peters Creek Parkway and Salisbury Ridge Road. This would provide patrons of the mall and greenway users with an additional access point.</p>
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 2 - Urban Neighborhoods
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• Identify and eliminate gaps in the roadway system to increase connectivity, reduce travel distances, improve access to nearby land uses, and provide mobility option for vehicles, bikes, pedestrians, and transit.</li> <li>• Connect shopping and employment centers, parks, schools, institutions and residential destinations with greenways and pedestrian and bicycle infrastructure.</li> <li>• Promote the development of integrated, self-contained shopping and service centers designed to be compatible with and accessible to adjacent residential areas.</li> <li>• Benefits of traffic connectivity include decreased traffic on arterial streets, fuel efficiency, and shorter travel distances, more direct routes that encourage transit use, walking and bicycling, quicker emergency vehicle response times, and more efficient trash and recycling collection.</li> <li>• Discourage inappropriate commercial encroachment into neighborhoods.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>South Central Winston-Salem Area Plan Update (2014)</i>
<b>Area Plan Recommendations</b>	<p>The subject property is shown for commercial use as part of Special Land Use Condition Area (*q) Marketplace Mall: "Marketplace Mall has had a significant tenant turnover and high vacancy rate in recent years and could benefit from improved vehicular and pedestrian access."</p> <p>Recommendations include:</p> <ul style="list-style-type: none"> <li>• Improve pedestrian and vehicular access: <ul style="list-style-type: none"> <li>○ Provide a path or a sidewalk to Marketplace Mall from Salisbury Ridge Road.</li> </ul> </li> <li>• Explore providing a vehicular connection to the Washington Park neighborhood by an access drive off of Salisbury Ridge Road.</li> </ul>

<b>Site Located Along Growth Corridor?</b>	The site is adjacent to the Marketplace Mall site which is located along the Peters Creek Parkway Growth Corridor.
<b>Site Located within Activity Center?</b>	The site is not located within an activity center.
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(3) - Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>(R)(4) - 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 subject request is adjacent to the 24.64 acre site of Marketplace Mall which was recently rezoned to GB-L (W-3346). The request includes all the same uses that were approved for W-3346; however, because the intent of the subject request is to permit vehicular access between Marketplace Mall and Salisbury Ridge Road, the petitioners have agreed to a condition that no buildings would be constructed on the subject 0.65 acre site.</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 <u>and</u> specifically that a vehicular and pedestrian connection be made between Marketplace Mall and Salisbury Ridge Road. Similarly, <i>Legacy 2030</i> recommends greater connectivity between land uses and details some of the resultant community wide benefits. These benefits include: decreased traffic on arterial streets, shorter travel distances, quicker emergency vehicle response times, and more efficient trash and recycling collection.</p> <p>Currently, the residents of the Washington Park and Sunnyside neighborhoods for example, have to drive approximately seven tenths of a mile (each way) further to reach Marketplace Mall than they would have to if such a connection is made through the subject property. From a pedestrian perspective, there is already an informal path going through the subject property. Consistent with the <i>South Central Winston-Salem Area Plan Update</i>, planning staff recommends that a sidewalk be constructed along any future driveway. The petitioners have agreed to this condition. However, because compliance with the Americans with Disabilities Act (ADA) regarding the maximum grade of such a potential walkway cannot be determined at this time, the condition is worded to waive this requirement if compliance is not practical.</p> <p>Because the site is located along Salisbury Ridge Road in a transitional area between the HB zoned properties to the west and the residentially zoned properties to the east, staff also recommends a condition regarding signage. The condition would limit the site to one sign with a maximum height of six feet and a maximum copy area of thirty-six square feet. It would also prohibit electronic message signs or internally illuminated</p>

	<p>signs. These limitations are intended to minimize the visual impact upon the single family homes located to the east of the site. The petitioners have agreed to this condition. Finally, because Marketplace Mall was developed prior to the current landscaping requirements of the UDO, that adjacent site does not have canopy trees to shade the large parking areas. Based upon aerial images, a mature Poplar tree appears to be located within the eastern edge of the site. The petitioners have agreed to a condition to retain this tree (to the degree practical) in the design and construction of said future access.</p> <p>Staff sees the subject request as being consistent with the goals of both <i>Legacy 2030</i> and the <i>South Central Winston-Salem Area Plan Update</i>. It would result in long-term, cumulative benefits by reducing both the travel time and response time for all parties who would visit Marketplace Mall from the Salisbury Ridge Road area. This includes public and private service providers as well as potential patrons of this retail and entertainment destination. Staff recommends approval.</p>
--	--

#### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
<p>The request is consistent with the site specific recommendations of the area plan in regard to providing a pedestrian <u>and</u> vehicular connection between Marketplace Mall and the adjacent residential area.</p> <p>The request is consistent with the recommendations of <i>Legacy 2030</i> in regard to greater connectivity between land uses.</p> <p>The request includes a condition that no buildings would be constructed on the subject property.</p> <p>The request includes a limitation on signage.</p> <p>The site is located along a minor thoroughfare which has ample capacity and is served with transit.</p>	<p>The request would extend commercial zoning closer to the single family homes located along Salisbury Ridge Road.</p>

#### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

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.

- **OTHER REQUIREMENTS:**

- a. The subject property shall be used for access only. No buildings shall be constructed on the site.
- b. Signage shall be limited to one sign with a maximum height of six (6) feet (as measured from the average road elevation of Salisbury Ridge Road) and a maximum copy area of thirty-six (36) square feet. The sign shall not be internally illuminated nor shall it contain electronic messages.
- c. The developer shall use best management practices to retain and preserve the Poplar Tree located on the subject property.
- d. The developer shall provide a sidewalk along with the vehicular access connecting

the existing parking lot to Salisbury Ridge Road. If, due to topography, a sidewalk is not feasible, the developer shall demonstrate this finding to the City of Winston-Salem Engineering Department.

**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-3351  
NOVEMBER 9, 2017**

Aaron King presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

A Board Member asked if WSDOT had reviewed the case with respect to tractor trailer turning movements.

Staff responded that no site plan has been submitted for review at this point.

MOTION: Clarence Lambe moved approval of the zoning petition.

SECOND: Jason Grubbs

VOTE:

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

AGAINST: None

EXCUSED: None

---

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