

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

PETITION INFORMATION	
Docket #	W-3386
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Michelle Nicholson
Owner(s)	Martha Bodford and Deborah Pharo
Subject Property	PIN#s 6804-58-8697, 6804-58-9660, and 6804-68-0523
Address	The undeveloped site does not currently have an address assignment.
Type of Request	Special use limited rezoning from RS9 to LB-L
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS9 (Residential, Single Family – 9,000 sf minimum lot size) to LB-L (Limited Business – special use limited). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> Arts and Crafts Studio; Banking and Financial Services; Child Care, Drop-In; Church or Religious Institution, Neighborhood; Club or Lodge; Combined Use; Food or Drug Store; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Library, Public; Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Shopping Center, Small; Special Events Center; Urban Agriculture; Veterinary Services; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; School, Private; School, Public; and Access Easement, Private Off-Site <p>NOTE: General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.</p>
Neighborhood Contact/Meeting	See Attachment C for a summary of the petitioner’s neighborhood outreach.
Zoning District Purpose Statement	The LB District is primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods, including smaller business locations up to ten (10) acres in size in rural areas. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so that this district, in some instances, may serve as a transition between residential districts and other commercial districts. This district is intended for application in GMAs 2, 3, 4 and 5.

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 as the site is a modest sized parcel located close to residentially zoned property and adjacent to LI zoned property. The site is also located a short distance to Jonestown Road which is a major thoroughfare.		
GENERAL SITE INFORMATION			
Location	Southeastern corner of Mar-Don Drive and Mar-Don Hills Court		
Jurisdiction	City of Winston-Salem		
Ward(s)	Southwest		
Site Acreage	± 1.36 acres		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RM12 & RS9-S	Townhomes and single family homes
	East	LI	Transmission tower and multiple commercial/industrial buildings
	South	RS9 & LI	Single family home and an electrical substation
	West	RS9	Single family home
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 mixture of uses are generally compatible with the uses permitted on the adjacent LI zoned properties. However, some of the more intense commercial uses are less compatible with the residential uses permitted on the adjacent RS9, RS9-S, and RM12 zoned properties.		
Physical Characteristics	The partially wooded site has a moderate slope downward toward the southeast.		
Proximity to Water and Sewer	Public water is available to the site. Public sewer is not directly available to the site; however, there is a public sewer line located approximately 600' to the south.		
Stormwater/ Drainage	No known issues.		
Watershed and Overlay Districts	The site is not located within a watersupply watershed.		
Analysis of General Site Information	The undeveloped site does not have direct access to public sewer. Otherwise, it does not appear to have any development constraints such as steep slopes, floodplains, or watersheds.		

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2899	RS9 to NO-S	Approved 2-5-2007	450’ northwest	.45	Approval	Approval
W-2183	RS9 to LI-S	Withdrawn 10-6-1997	Directly southwest	6.45	Denial	Denial
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name		Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
Mar-Don Drive		Local Street	300’	NA	NA	
Mar-Don Hills Court		Local Street	133’	NA	NA	
Proposed Access Point(s)		Because this is a special use limited request with no site plan or access conditions, the exact location of access points is unknown.				
Trip Generation - Existing/Proposed		<u>Existing Zoning: RS9</u> 1.36 x 43,560 sf / 9,000 = 6 lots x 9.57 (SFR Trip Rate) = 57 Trips per Day <u>Proposed Zoning: LB-L</u> Staff is unable to provide an accurate trip generation for the proposed special use limited zoning because there is no site plan.				
Sidewalks		There are no sidewalks located in the general area.				
Transit		Route 81 runs along Jonestown Road located approximately 850’ to the northwest.				
Analysis of Site Access and Transportation Information		The site is a corner lot with frontage on two publically maintained streets. Planning staff does not foresee any transportation related issues associated with 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">Promote new, convenient commercial and business services to support neighborhood needs.Encourage reuse of vacant and underutilized commercial and industrial sites.				
Relevant Area Plan(s)		West Suburban Area Plan Update (2018)				
Area Plan Recommendations		<ul style="list-style-type: none">The property is recommended for Industrial Use.Continue revitalization of vacant or underutilized industrial sites in the planning area. Existing industrial sites could be converted to other uses compatible with surrounding residential areas.				
Site Located		The site is not located along a growth corridor.				

Along Growth Corridor?	
Site Located within Activity Center?	The site is not located within an activity center.
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 Legacy 2030?
	Yes
Analysis of Conformity to Plans and Planning Issues	The request is to rezone a 1.36 acre undeveloped lot from RS9 to LB-L. The site is a corner lot located adjacent to both residential and industrial zoning. The site is also located directly across the street from an electrical substation and located parallel with the rear property line is a dual tower electrical transmission line.
	The West Suburban Area Plan Update recommends industrial land use for this site. While some of the proposed commercial uses (if developed on the site) may generate more vehicular traffic than a typical industrial use at this site, the proposed uses are generally considered less overall impactful than many of the industrial uses and activities which could occur within either the LI or GI zoning districts. For example, the LI district allows the uses of Building Contractors, Heavy and Solid Waste Transfer Station. Both of these uses could have negative impacts on the adjacent residential properties.
	In considering the above mentioned development pattern adjacent to this site, the more intense industrial land use recommendation of the area plan, and the relatively insulated/buffered setting of the subject property, Planning staff is supportive of the subject request.
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed zoning and uses are generally considered less intense than the industrial zoning recommended in the area plan.	The area plan recommends industrial land use for the subject property.
The site is adjacent to LI zoning and uses on two sides and an electrical substation is located across Mar-Don Drive.	
The request would facilitate the development of an undeveloped site.	
The request is consistent with the LB district purpose statement.	
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.	

- **PRIOR TO ISSUANCE OF ANY PERMITS:**
 - a. Developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of driveway permit.
 - b. An engineered lighting plan shall be submitted to Inspections for the proposed lighting demonstrating the use of full-cut off fixtures, light height of 25' or less and no more than 0.5 foot-candles along all property lines.
- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
 - a. Lighting shall be installed per approved lighting plan and certified by an engineer.
 - b. Developer shall complete all requirements of the driveway permit

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-3386
OCTOBER 25, 2018**

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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, Brenda Smith

AGAINST: None

EXCUSED: None

Aaron King
Director of Planning and Development Services