

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

PETITION INFORMATION	
Docket #	W-3387
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	College Village Holdings, LLC
Owner(s)	Same
Subject Property	PIN# 6826-01-6961
Address	751 North Avalon Road
Type of Request	Special use rezoning from LB to PB-S
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LB (Limited Business) to PB-S (Pedestrian Business – special use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Shopping Center, Small; Food or Drug Store; Offices; Retail Store; Recreational Services, Indoor; Restaurant without drive-through service; and Services, A
Neighborhood Contact/Meeting	See Attachment C for a summary of the petitioner’s neighborhood outreach.
Zoning District Purpose Statement	<p>The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.</p>
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is located within a walkable neighborhood setting which is well served with sidewalks and transit. The site is also located within the Urban Neighborhoods GMA and the proposed site plan retains the existing pedestrian oriented building placement.</p>
GENERAL SITE INFORMATION	
Location	Southeast corner of North Avalon Road and Spring Garden Road
Jurisdiction	City of Winston-Salem
Ward(s)	West
Site Acreage	± .83 acre
Current Land Use	Currently located on the site is a two story commercial building. One of the current tenants is the Diamondback Grill.

Surrounding Property Zoning and Use	Direction	Zoning District	Use			
	North	RM8-S	Townhomes			
	East	RS12	Single family homes			
	South	RS12 and RM8	Single family homes and townhomes			
	West	RM8	Townhomes			
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?					
	All the proposed uses (in addition to other more intense uses) are currently allowed under the existing LB zoning. Given the historical use of the subject property for commercial purposes, and the proposed uses are less impactful than many of the currently permitted uses, Planning staff sees the proposed uses as being generally compatible with the uses permitted on the adjacent residentially zoned properties.					
Physical Characteristics	The developed site has a gentle slope downward toward the central portion of the site.					
Proximity to Water and Sewer	The site is served with both public water and sewer.					
Stormwater/ Drainage	A 48” stormwater drainage line currently runs under the parking lot. A drainage inlet for this pipe is located in the corner of the parking lot.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Historic, Natural Heritage and/or Farmland Inventories	The subject property is located within the Buena Vista National Register District. This district is not a locally zoned historic district and therefore it is not subject to the certificate of appropriateness design review process by the Historic Resources Commission and their staff.					
Analysis of General Site Information	The site is developed with a two story commercial building. The site is traversed with a public sewer line and a large stormwater drainage line both of which extend from Spring Garden Road to North Avalon Road under the rear parking area.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2562	RSQ-S to RSQ-S	Approved 8-5-2002	400’ northwest	3.49	Approval	Approval
W-866	R5 to R2-S (RM8-S)	Approved 1-18-1982	Directly north	.56	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name		Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
North Avalon Road		Local Street	171’	NA	NA	
Spring Garden Road		Local Street	185’	NA	NA	

Proposed Access Point(s)	The site will continue to be accessed from both of the above noted streets.		
Trip Generation - Existing/Proposed	<u>Existing Zoning: LB</u> Staff is unable to provide an accurate trip generation for the existing general use zoning because there is no site plan. <u>Proposed Zoning: PB-S</u> 7,716 sf / 1,000 x 11.57 (Single Tenant Office Trip Rate) = 89 Trips per Day + 5,509 sf / 1,000 x 89.95 (Quality Restaurant Trip Rate) = 496 Trips per Day + 2,891 sf / 1,000 x 44.32 (Specialty Retail Center Trip Rate) = 128 Trips per Day = 713 Total Trips per Day		
Sidewalks	Sidewalks are located along the subject property side of North Avalon Road and along a portion of Spring Garden Road where the existing building is located. The proposed site plan shows an extension of this sidewalk along the eastern end of the site.		
Transit	Route 109 serves Robinhood Road located 1,000' to the north.		
Analysis of Site Access and Transportation Information	The site is located at the intersection of two residential streets within a walkable neighborhood which has a good network of connected streets. Sidewalks are located along Avalon Drive and transit service is located less than one quarter of a mile to the north. The request would formalize several on street parking spaces which have been used regularly in the past. In comparing the current commercial zoning with the proposed zoning, staff does not foresee any negative transportation related issues.		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage	Placement on Site	
	16,116	Pulled up to the corner of North Avalon Road and Spring Garden Road.	
Parking	Required	Proposed	Layout
	39 spaces	48 spaces + 7 on street spaces	Combination of public on-street parking (parallel) and rear parking lot
Building Height	Maximum		Proposed
	40'		Two
Impervious Coverage	Maximum		Proposed
	NA		81%
UDO Sections Relevant to Subject Request	• Chapter B, Article II, Section 2-1.3 (F) Pedestrian Business District		
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy 2030 policies:	Yes	
	(B) Environmental Ord.	NA	
	(C) Subdivision Regulations	NA	
Analysis of Site Plan Compliance with UDO Requirements	The proposed site plan is essentially an as-built survey of the existing developed site which consists of one building pulled up to the corner with parking and service areas located to the sides and rear. The only exterior alteration noted on the site plan would be a widening of said rear parking area to meet current dimensional requirements.		

CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 2 – Urban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Encourage convenient services at designated areas to support neighborhoods consistent with the Growth Management Plan. • Promote standards requiring high-quality design for infill development that is compatible with the surrounding neighborhood. • Promote compatible infill development that fits with the context of its surroundings. • Promote a pedestrian-friendly orientation for new development and redevelopment and reduce the visual dominance of parking areas.
Relevant Area Plan(s)	<i>Northwest Winston-Salem Area Plan Update (2017)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The property is recommended for Commercial Use. • A multi-tenant commercial building located at the southeast corner of North Avalon and Spring Garden Roads (subject property) is zoned LB and it is one of the few local neighborhood commercial areas from the 1940s that is still functioning well. The plan recommends the following for this site: <ul style="list-style-type: none"> • Do not expand current nonresidential zoning to adjoining properties. • Redevelop the existing site under current zoning or a less intensive zoning classification.
Site Located Along Growth Corridor?	The site is not located along a 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	<p>The subject request is to rezone a commercially developed site from LB to PB-S. The proposal includes the retention of the existing building and a limited list of requested uses.</p> <p>The subject property has served as a small scale, pedestrian oriented commercial oasis within a residential neighborhood for many decades. The site is located within the Urban Neighborhoods Growth Management area. Therefore, the site is considered nonconforming in regard to parking requirements whenever there is a change of use. This applies to all uses with the exception of a restaurant which must demonstrate compliance with the parking requirements. The PB district includes a 30% parking</p>

	reduction for <i>all</i> uses which would provide greater change of use flexibility on this property.
	<i>Legacy 2030</i> recommends the promotion of a pedestrian-friendly orientation for new development and redevelopment and the reduction of the visual dominance of parking areas. The <i>Northwest Winston-Salem Area Plan Update</i> recommends continued commercial zoning on the subject property. The subject request is consistent with both of these documents. The PB-S request retains the existing pedestrian oriented building placement <i>and</i> limits the potential uses to those considered neighborhood serving. Because the site is surrounded by residential uses, Planning staff recommends a condition to not allow Electronic Message Board Signs. Staff sees the petition (with the associated site plan) as being a better fit in this residential setting than the more auto oriented and generally less restricted LB zoning now in place. The request provides more protections to the neighborhood in regard to potential redevelopment of the site and building placement, land uses, signage, and lighting than does the existing LB zoning. Planning staff recommends approval of the subject request.
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The area plan recommends commercial land use for the site.	The site is surrounded by residential zoning.
The site is developed with a multi-tenant business building and has been used commercially for many years.	
The request includes a very limited number of proposed uses, all of which are allowed within the current LB zoning.	
The request includes a site plan and it removes many impactful uses which are allowed within the current LB zoning such as Car Wash, Transmission Tower, and Convenience Store.	
The PB district allows for a parking reduction which is not available in the current LB zoning.	
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.	
<ul style="list-style-type: none"><u>PRIOR TO ISSUANCE OF ANY PERMITS:</u><ul style="list-style-type: none">Developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of driveway permit.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.	

- | |
|---|
| <ul style="list-style-type: none">• <u>PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:</u><ul style="list-style-type: none">a. Lighting shall be installed per approved lighting plan and certified by an engineer.b. Developer shall complete all requirements of the driveway permit• <u>OTHER REQUIREMENTS:</u><ul style="list-style-type: none">a. Electronic Message Board signs shall not be permitted. |
|---|

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-3387
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 and certified the site plan (including staff recommended conditions) meets all UDO requirements if the petition is approved.

SECOND: Jason Grubbs

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