

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3400
<b>Staff</b>	<a href="#">Gary Roberts, Jr. AICP</a>
<b>Petitioner(s)</b>	Krystal Company, LLC and Krystal Corporation
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN#s 6825-81-2953 and 6825-81-1669
<b>Address</b>	600 Peters Creek Parkway
<b>Type of Request</b>	Special Use Limited rezoning from HB and RSQ to GB-L
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> HB (Highway Business) and RSQ (Residential, Single Family Quadraplex) <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>Arts and Crafts Studio; Banking and Financial Services; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Combined Use; Food or Drug Store; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hotel or Motel; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Offices; Police or Fire Station; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Urban Agriculture; Shopping Center; Shopping Center, Small; Storage Services, Retail; Adult Day Care; Child Care, Sick Children; Child Day Care Center; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; School, Private; and School, Public</li> </ul> <p><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.</p>
<b>Neighborhood Contact/Meeting</b>	See Attachment B for a summary of the petitioner’s neighborhood outreach.
<b>Zoning District Purpose Statement</b>	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.

<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes, as the site is located within a designated activity center and fronts on Peters Creek Parkway, which is classified as a boulevard. The site is also located within GMA 2 (Urban Neighborhoods) and is adjacent to other commercially zoned property.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	Southwest corner of the intersection of Peters Creek Parkway and Academy Street		
<b>Jurisdiction</b>	City of Winston-Salem		
<b>Ward(s)</b>	Southwest		
<b>Site Acreage</b>	± 3.76 acres		
<b>Current Land Use</b>	The Budget Inn (Hotel or Motel) is currently in operation on the subject property.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	HB	Hair salon, dry cleaning, and a self-storage facility
	East	HB	BP Convenience Store and the West Salem Shopping Center
	South	HB	Car dealership
	West	RSQ and HB	Multifamily, an unoccupied commercial building, and undeveloped property
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<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 uses permitted in the proposed GB-L zoning district are compatible with the uses permitted on the adjacent HB-zoned properties. Some of the proposed uses are less compatible with the uses permitted on the adjacent RSQ-zoned properties. The requested uses are the same uses (with the exception of Hotel/Motel) approved for the subject property in 2018 (W-3359).		
<b>Physical Characteristics</b>	The developed site has a moderate to steep slope downward toward Peters Creek which borders the eastern edge of the site. This edge of the site is also impacted by the regulatory floodplain of Peters Creek.		
<b>Proximity to Water and Sewer</b>	The site has access to public water and sewer.		
<b>Stormwater/ Drainage</b>	No known issues.		
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed.		
<b>Analysis of General Site Information</b>	The subject property is well positioned at the corner of two heavily traveled streets. Currently, the site is fully developed with multiple buildings which comprise a motel and an unoccupied commercial building. The site has a significant grade change from the western edge downward to Peters Creek at the eastern edge. The entire frontage along		

		Peters Creek Parkway is located within the regulatory floodplain of Peters Creek.				
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3359	HB & RSQ to GB-L	Approved 5-7-2018	Current site	3.76	Approval	Approval
W-3340	RSQ and RM18 to RMU-S	Denied 9-5-2017	1,000 feet north	1.97	Denial	Denial
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name		Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
Peters Creek Parkway		Boulevard	525 feet	23,000	38,100	
Academy Street		Minor Thoroughfare	313 feet	11,000	13,800	
Proposed Access Point(s)		The site is currently accessed from Peters Creek Parkway. See comments in the analysis section regarding access onto Academy Street.				
Trip Generation - Existing/Proposed		Staff is unable to provide an accurate trip generation for either the existing general use or the proposed special use limited zoning because there are no site plans.				
Sidewalks		Sidewalks are located along both sides of all adjacent streets.				
Transit		WSTA Route 80 runs along Academy Street and WSTA Route 83 runs along Peters Creek Parkway.				
Analysis of Site Access and Transportation Information		<p>The subject property has frontage on a boulevard and a minor thoroughfare, both of which have extra capacity. The area is also served with sidewalks and transit.</p> <p>Staff notes that an access onto Academy Street has been closed with fencing for many years. According to WSDOT staff, reopening this access in the future may present some challenges. Specifically, traffic exiting the site may have limited visibility due to topography in the area. Also, westbound traffic entering the site and needing to make a left turn off of Academy Street may cause congestion toward the intersection with Peters Creek Parkway. However, due to the potential for redevelopment of the site and the benefit of having multiple points of access, the petitioner has agreed to work with WSDOT and provide an <i>emergency only access</i> onto Academy Street.</p>				
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy 2030 Growth Management Area		Growth Management Area 2 - Urban Neighborhoods				

<b>Relevant <i>Legacy 2030</i> Recommendations</b>	<ul style="list-style-type: none"> <li>• Encourage higher residential densities along growth corridors to create the critical mass for transit to be viable.</li> <li>• Activity centers have the potential to accommodate denser mixed-use development.</li> <li>• Encourage reuse of vacant and underutilized commercial and industrial sites.</li> <li>• Growth concentrated in GMAs 1 and 2 is more cost-effective from a public service delivery standpoint, reduces the pressure for development in the Future Growth Area, preserves open space and rural areas, and avoids traffic congestion and costly new infrastructure.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>Southwest Winston-Salem Area Plan Update (2016)</i>
<b>Area Plan Recommendations</b>	<p>The property is located within the West Salem Activity Center and is recommended for mixed-use development.</p> <p><u>Specific West Salem Activity Center recommendations:</u>          “The subject property is located within the west side of the activity center as identified in the <i>Southwest Winston-Salem Area Plan Update</i>. This area includes a vacant car dealership (recently demolished and replaced with a new dealership) a motel (subject property) and a mix of retail shops. These properties have struggled with concerns of safety, building deterioration, and site issues, such as being partially located within the floodplain, and having incomplete pedestrian facilities. There is redevelopment potential for the car dealership and motel to become a mixture of retail, office, and residential uses in an intensive comprehensive development. The plan recommends the following:</p> <ul style="list-style-type: none"> <li>• Develop the site with a mixture of uses that includes residential, commercial, and office in a well-designed development that connects streets, transit, and pedestrian facilities.</li> <li>• Include neighborhood-serving commercial uses such as a grocery store, pharmacy, and restaurants.</li> <li>• Integrate unique architectural aspects of the current development into the new development, if feasible.</li> <li>• Minimize development in the floodplain; instead create a green space the can be used as a social gathering space that incorporates seating, fountains, public art, and other features.</li> <li>• Priority should be given to pedestrians and bicycles in building design and street layout. Include pedestrian and bicycle connections to the proposed multiuse path along Peters Creek Parkway as well as a pedestrian connection to Anson Street.</li> <li>• Use the site’s topography to build taller buildings or parking structures.”</li> </ul>
<b>Site Located Along Growth Corridor?</b>	The site is located along the Peters Creek Parkway Growth Corridor as identified in <i>Legacy 2030</i> . However, the more specific activity center guidelines in the <i>Southwest Winston-Salem Area Plan Update</i> take precedence over the more general growth corridor guidelines.

<b>Site Located within Activity Center?</b>	The site is located within the West Salem Activity Center.
<b>Greenway Plan Information</b>	A greenway along Peters Creek was originally proposed in the <i>Greenway Plan</i> . However, a feasibility analysis was completed for the proposed greenway in the <i>Greenway Plan Update</i> , which determined that a greenway was not feasible along this section of Peters Creek. On-street facilities were proposed in lieu of a greenway.
<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 site was rezoned to GB-L in May of 2018 with a reversion clause that would activate if ownership did not change by September 30 of the same year. Because ownership did not transfer, the zoning reverted back to RSQ and HB.</p> <p>The site is a highly visible corner property at a major intersection serving as a primary gateway/entryway into Downtown, as well as to the Ardmore and West Salem neighborhoods. The site is also located within an activity center where the area plan recommends “a mixture of uses that includes residential, commercial, and office in a well-designed development that connects streets, transit, and pedestrian facilities.”</p> <p>The petitioner is proposing the same list of uses (with the exception of Hotel/Motel) which were approved by City Council in 2018. This list eliminates some of the potentially more impactful uses which are otherwise permitted in the GB district, such as Transmission Tower, Fuel Dealer, Car Wash, and Adult Establishment. The petitioner has also agreed to a signage condition along the Academy Street frontage. Although the request does not include a site plan, staff sees the proposed GB-L zoning as being more compatible with the mixed use recommendation of the area plan than the current zoning. The request may also facilitate redevelopment of the site; the GB district offers a 30 percent reduction in required parking, a benefit that is not provided within the HB district. Redevelopment of the subject property may spur additional reinvestment in the general area.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request may facilitate reinvestment in and/or redevelopment of the subject property.	The request would place GB-L zoning adjacent to RSQ-zoned property. Some of the proposed uses such as Hotel or Motel, Restaurant (without drive-through service), or Retail Store, may have negative impacts on the residential uses permitted in the RSQ district.
GB-L zoning is more consistent with the mixed use recommendation of the area plan than the current zoning, and it proposes the same uses (with the exception of Hotel/Motel) which were approved for the site in 2018.	
Peters Creek Parkway has ample capacity.	
The site is well served with sidewalks and multiple transit routes.	
The request includes a monument signage condition along the Academy Street frontage.	
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"><li>• <b><u>PRIOR TO ISSUANCE OF ANY PERMITS:</u></b><ul style="list-style-type: none"><li>a. Developer shall obtain a driveway permit from the City of Winston-Salem DOT for an emergency only access onto Academy Street.</li></ul></li><li>• <b><u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u></b><ul style="list-style-type: none"><li>a. All required improvements of the City of Winston-Salem driveway permit shall be completed.</li></ul></li><li>• <b><u>OTHER REQUIREMENTS:</u></b><ul style="list-style-type: none"><li>a. Freestanding signage along Academy Street shall be limited to one monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.</li></ul></li></ul>	

**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.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3400  
MARCH 14, 2019**

Desmond Corley presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

During discussion by the Planning Board, the following points were made:

There is no reversion clause with this request as it goes to City Council.

Due to site visibility, access onto Academy Street will be for emergency vehicles only.

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Chris Leak

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe,  
Chris Leak, Johnny Sigers

AGAINST: None

EXCUSED: None

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Aaron King

Director of Planning and Development Services