
**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3283
DECEMBER 10, 2015**

MOTION: Clarence Lambe moved withdrawal.

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan, Arnold King, Clarence Lambe, Tommy Hicks,
Darryl Little, Paul Mullican, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

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

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

PETITION INFORMATION	
Docket #	W-3283
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Beroth Oil Company
Owner(s)	Same
Subject Property	PIN #6827-72-3724
Address	450 Polo Road
Type of Request	Special use limited rezoning from HB-S Two Phase to GB-L
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB-S (Highway Business – special use zoning - Offices; Outdoor Display, Retail; Motorcycle Dealer; Motor Vehicle; Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Paint and Body Shop; Motor Vehicle, Storage Yard; Warehousing; and Wholesale Trade A - Two Phase) to GB-L (General Business – special use limited zoning). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Retail Store; Warehousing; Manufacturing A; Institutional Vocational Training Facility; Urban Agriculture; Restaurant without Drive-Through; and Offices <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	The petitioner has scheduled a neighborhood meeting for Tuesday, December 8, 2015 at 5:30pm. The meeting will be held at Calvary Chapel Fellowship Church located at 402 Polo Road.
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)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is currently zoned for commercial purposes and it is adjacent to other commercially and industrially zoned properties. The site is also located within GMA 2 and it fronts on a minor thoroughfare.</p>
GENERAL SITE INFORMATION	
Location	South side of Polo Road, east of Cherry Street
Jurisdiction	City of Winston-Salem

Ward(s)	North			
Site Acreage	± 3.92 acres			
Current Land Use	The front portion of the subject property is paved and is currently used for tractor trailer parking. The rear portion of the site is undeveloped.			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	LI-S	NCDOT facility	
	East	RS9	Calvary Chapel Fellowship and a single family home	
	South	RS9	Single family homes	
	West	HB and RS9	A single family home and undeveloped property.	
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 commercial uses are compatible with the uses permitted on the adjacent HB and LI-S zoned properties and less compatible with the uses permitted on the adjacent RS9 zoned properties.			
Physical Characteristics	The topography of the site consists of a gentle to moderate slope downward toward the southwest. The first 100' +/- of depth from Polo Road is paved. The remainder of the site is heavily wooded.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The site is not located within a water supply watershed.			
Analysis of General Site Information	The front portion of the site along Polo Road is paved. The remaining majority of the site is heavily wooded and appears to possess no development constraints such as steep slopes, water supply watersheds, or designated floodplains. In order to provide a more sensitive transition to the adjacent single family homes, the petitioner has agreed to provide a 40' undisturbed buffer along McCanless Street and along the side yard of the property located at 411 McCanless Street.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Polo Road	Minor Thoroughfare	478'	7,000	15,800
McCanless Street	Local Street	359'	NA	NA
Proposed Access Point(s)	Consistent with the approved zoning, the petitioner has agreed to carry forward a condition that there be no vehicular access onto McCanless Street. While there is no site plan associated with this request, it should be anticipated that the access will continue to be from Polo Road.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: HB-S Two Phase</u> An approved final development plan for the subject property consists of an 11,200 sf office building and a 5,600 sf storage building: 11,200 / 1,000 x 11.01 (General Office Building Trip Rate) = 123 Trips per Day + 5,600 / 1,000 x 3.56 (Warehousing Trip Rate) = 20 Trips per Day = 143			

	<p>Total Trips per Day.</p> <p><u>Proposed Zoning: GB-L</u> No trip generation is available for the proposed special use limited zoning which has no site plan.</p>
Sidewalks	Sidewalks are located along one side of nearby Cherry Street and on the opposite side of Polo Road.
Transit	Route 4 runs along Cherry Street located approximately 270' to the west.
Analysis of Site Access and Transportation Information	The site fronts along Polo Road which is a minor thoroughfare with excess capacity. The approved zoning for the subject property includes a condition that there be no access onto McCanless Street which is residential in character. The petitioner has agreed to carry this condition forward. New construction on the site will trigger the requirement for a driveway permit and a sidewalk along Polo Road may be required due to its classification as a minor thoroughfare.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 GMA	Growth Management Area 2 - Urban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Protect residential areas from inappropriate commercial and industrial encroachment. • Identify underutilized commercial or brownfield sites that can be reclaimed for neighborhood commercial development. • Provide incentives/restrictions to address vacant or derelict commercial properties. • Provide safe, convenient opportunities for access to healthy, affordable food for all residents.
Relevant Area Plan(s)	<i>North Suburban Area Plan Update (2014)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The area plan recommends commercial land use for the subject property.
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.
Other Applicable Plans and Planning Issues	In the Spring of 2014, Winston-Salem community leaders, in partnership with Piedmont Together, conducted the Polo Road/ North Cherry Street Community Enhancement Workshop. This public outreach and community planning endeavor resulted in a 114 page document intended to encourage new investment and redevelopment in this area. The subject property is shown as part of an opportunity area where mixed use, pedestrian oriented design is recommended along with streetscape improvements on Polo Road.
Addressing	There are no addressing or street naming concerns at this time.

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?
	The former commercial building on the adjacent property to the west has been removed and the site is currently being remediated for soil contamination.
	(R)(4) - Is the requested action in conformance with Legacy 2030?
	Yes

Analysis of Conformity to Plans and Planning Issues	<p>The proposed HB-S Two Phase to GB-L rezoning is compatible with the commercial land use recommendation of the <i>North Suburban Area Plan Update</i> for the subject property. The request is also consistent with <i>Legacy 2030</i> which recommends the reclamation of underutilized commercial sites in a manner which protects the nearby residential properties.</p> <p>Consistent with the Polo Road/ North Cherry Street Community Enhancement Workshop, the petitioner has volunteered conditions related to pedestrian building placement and design. No parking will be located between any proposed building(s) and Polo Road (with the exception of handicap parking) and said building(s) will have front facades that contain some degree of enhanced building materials. The petitioner has also volunteered conditions related to limited signage, additional buffering, and a negative access easement along McCanless Street. Planning staff is supportive of the request.</p>
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RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2985	LI-S to LI-S Two Phase	Approved 7-21-08	Directly north	8.16	Approval	Approval
W-1762	I2 and R4 to B3-S (HB-S)	Approved 5-4-92	Included current site	3.92	Approval	Approval

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
<p>The site is currently zoned HB-S Two Phase and it is adjacent to other commercial and industrially zoned properties.</p> <p>The request may spur the redevelopment of the subject property and other new investment in the area.</p> <p>Polo Road has excess capacity.</p> <p>Transit is available on nearby Cherry Street.</p> <p>The petitioner has volunteered conditions related to pedestrian building placement and design, limited signage, additional buffering, and a negative access easement along McCanless Street.</p>	<p>New development on the subject property may result in the loss of a mature wooded area.</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.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall obtain a driveway permit from City of Winston-Salem; additional improvements may be required prior to issuance of driveway permit.
Required improvements include:
 - A negative access easement along McCanless Street.
 - b. Developer shall flag in the field a 40' undisturbed bufferyard along the site's entire McCanless Street frontage and along the entire western property line of PIN 6827-72-5604.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
 - a. No parking shall be located between the proposed buildings and Polo Road with the exception of handicap parking.
 - b. The proposed building plans shall ensure that the front facades of the buildings contain enhanced building materials as verified by Planning staff.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Developer shall complete all requirements of the driveway permit.
 - b. Buildings shall be constructed in substantial conformance with the approved building elevations as approved by Planning staff.
- **OTHER REQUIREMENTS:**
 - a. Freestanding signage shall be limited to one (1) monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.

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.**

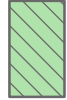
DOCKET #: W3283

PROPOSED ZONING:
GB-L

EXISTING ZONING:
HB-S

PETITIONER:
Beroth Oil Company

 Property included
in zoning request.

 500' mail notification
radius. Property not
in zoning request.

SCALE: 1" represents 300'

STAFF: Roberts

GMA: 2

ACRES: 3.92

**NEAREST
BLDG:** 0' east

MAP(S): 6827.04

