DOCKET #: W3111

PROPOSED ZONING:
NB-L

EXISTING ZONING:
LB-S

PETITIONER:
Daphne McFadden
for property owned by
Steven and Patricia Cole

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 2

ACRES: 0.23

NEAREST BLDG: 1' east

MAP(S): 630846
**PETITION INFORMATION**

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3111</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Daphne McFadden</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Steven and Patricia Cole</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN # 6834-46-7895</td>
</tr>
<tr>
<td>Address</td>
<td>2207 Sunnyside Avenue</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Limited rezoning from LB-S to NB-L</td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting to amend the Official Zoning Maps for the subject property **from** LB-S (Limited Business District; Car Wash; and Offices) **to** NB-L (Neighborhood Business – Special Use Limited District). The petitioner is requesting the following uses:

- Food or Drug Store

**NOTE:** 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**

The application at the time of filing does not indicate whether a neighborhood/community meeting had been held.

**Zoning District Purpose Statement**

The NB District is primarily intended to accommodate very low intensity office, retail, and personal service uses close to or within residential areas. The district is established to provide convenient locations for businesses which serve the everyday household needs of nearby residents without disrupting the character of the neighborhood. The district is not intended to accommodate retail uses which attract customers from outside the neighborhood or which primarily cater to motorists. This district is intended for application in GMAs (Growth Management Areas) 2 (Urban Neighborhoods), 3 (Suburban Neighborhoods), 4 (Future Growth Area), and 5 (Rural Area).

**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, the request includes a single proposed use which is neighborhood serving. The site’s location and small scale is also consistent with the NB purpose statement in regard to the likelihood that it would be more oriented to serving the nearby residents rather than a destination retail center.

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>Southeast corner of Monmouth Street and Sunnyside Avenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Southeast</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± .23 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Existing 770 square foot commercial building which is currently vacant.</td>
</tr>
</tbody>
</table>
### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS7</td>
<td>Single family homes</td>
</tr>
<tr>
<td>East</td>
<td>RS7</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>RS7</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>RS7</td>
<td></td>
</tr>
</tbody>
</table>

### 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?

Due to the small size of the existing structure; the proposed use; and the broader, established urban neighborhood, the request can be viewed as being neighborhood serving.

### Physical Characteristics

The site contains a relatively flat topography with a gentle slope downward to the north.

### 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.

### Historic, Natural Heritage and/or Farmland Inventories

The subject property was listed in 2008 as a contributing resource within the Sunnyside/Central Terrace National Register Historic District. Listed as Crotts Service Station, the building on the site dates from ca. 1935, and is a one-story, Mission-influenced building with a Spanish tile roof. While much of the surrounding area is zoned for residential use, this particular property has always been used for commercial or business purposes, and the building on-site was constructed as such. Staff therefore recommends the continued use of a condition that the existing building on the site be retained and that any exterior alterations meet the Secretary of the Interior’s Standards for Rehabilitation.

### Analysis of General Site Information

The site currently contains a small commercial building that was constructed in the 1930’s. The structure has been used as a bread store in the past; however, when it was rezoned from RS-7 to NB-L in 2007, it had no legal nonconforming status. The structure is historically significant (see comments above) and, as with previous rezonings on this site, the petitioner is agreeable to a condition regarding the retention and historical maintenance of said structure.

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sunnyside Avenue</td>
<td>Local Street</td>
<td>141’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Monmouth Street</td>
<td>Local Street</td>
<td>149’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Unnamed, unopened alley</td>
<td>Unopened alley</td>
<td>50’</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

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, (other than the existing driveways onto Sunnyside Avenue) is unknown.
| Trip Generation - Existing/Proposed | Existing Zoning: LB-S  
The closest trip generation rate available is for Self-Service Car Wash with a rate of 108 trips per stall. The site was approved for one stall.  

Proposed Zoning: NB-L  
No trip generation numbers available for special use limited zoning. |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalks</td>
<td>Sidewalks are located along both street frontages.</td>
</tr>
<tr>
<td>Transit</td>
<td>Route 29 runs along Sprague Street ±200’ to the south.</td>
</tr>
</tbody>
</table>
| Analysis of Site Access and  
Transportation Information | Although no trip generation numbers are available for this special use limited request The subject request does not appear to present any negative transportation impacts. Sidewalks exist throughout the general area. A driveway permit will be required. |

## CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>Growth Management Area 2 – Urban Neighborhoods</th>
</tr>
</thead>
</table>
| Relevant Legacy Recommendations | Legacy supports:  
- Neighborhood serving commercial development in close proximity to residential areas.  
- Redevelopment and reuse of existing sites and buildings which are visually compatible with the surrounding area.  
- Protecting residential areas from inappropriate commercial and industrial encroachment.  
- Redevelopment of business and residential neighborhoods around the U.N.C. School of the Arts. |

<table>
<thead>
<tr>
<th>Relevant Area Plan(s)</th>
<th>South Central Area Plan (2003)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Plan Recommendations</td>
<td>There is no recommended land use change for this site.</td>
</tr>
</tbody>
</table>

### Addressing

There are no addressing or street naming concerns.

### 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? | Yes |

### Analysis of Conformity to Plans and Planning Issues

The property is currently zoned LB-S with a reversion clause which states that if the site should ever cease to be operated as either an Office or Car Wash (the currently approved uses) for more than one calendar year, the zoning would revert back to its previous NB-L (Services A; and Retail Store) zoning. Although the site has been unoccupied for more than one year, because no Office or Car Wash establishment was ever opened on the premises, the LB-S zoning remains in place.

Staff believes the current request for NB-L (Food or Drug Store) is consistent with the recommendations of Legacy because it would encourage the redevelopment and reuse of an existing site and building which are visually compatible with the surrounding area. The proposed...
use would also be neighborhood serving to the nearby residents by providing daily convenience items. As with previous rezonings on this site, the request includes a condition regarding the retention and maintenance of the historically significant structure.

### RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-3028</td>
<td>NB-L to LB-S</td>
<td>Approved 4-6-09</td>
<td>Current site</td>
<td>.23</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2959</td>
<td>RS7 to NB-L</td>
<td>Approved 12-3-07</td>
<td>Current site</td>
<td>.23</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>A commercial structure has been on this site since the 1930’s.</td>
<td>The request would allow the continued presence of commercial zoning in close proximity to single family homes.</td>
</tr>
<tr>
<td>The structure is a historically significant structure, and will be retained.</td>
<td></td>
</tr>
<tr>
<td>The small scale and intensity of the proposed use appears to be neighborhood serving.</td>
<td></td>
</tr>
<tr>
<td>The request does not propose any negative transportation impacts.</td>
<td></td>
</tr>
<tr>
<td>The subject request is consistent with the proposed NB district purpose statement.</td>
<td></td>
</tr>
</tbody>
</table>

### 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 ANY PERMITS:**
  - a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  - a. All requirements of the City of Winston-Salem driveway permit shall be completed.

- **OTHER REQUIREMENTS:**
  - a. The Crotts Service Station shall be retained in its original, existing location on the site. The building shall be maintained against decay, deterioration, defects increasing the hazards of fire and/or other accidents, and kept free from structural defects, as determined by the Historical Resources Staff of the CCPB. Any exterior work to the building and/or site of Tax PIN# 6834-46-7895 must meet the *Secretary of the Interior’s Standards for Rehabilitation* as determined by the Historical Resources Staff of the CCPB.
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-3111
SEPTEMBER 8, 2011

PUBLIC HEARING

FOR:  None
AGAINST:  None

WORK SESSION

MOTION:  Paul Mullican moved withdrawal of the zoning map amendment.
SECOND:  Wesley Curtis
VOTE:
  FOR:  Wesley Curtis, Arnold King, Lynne Mitchell, Paul Mullican, Brenda Smith, Allan Younger
  AGAINST:  None
  EXCUSED:  None

A. Paul Norby, FAICP
Director of Planning
South Central Area Plan, 2003
Proposed Land Use Changes
See Narrative for Site Descriptions

- Proposed Land Use Changes
  - Low Density Residential
  - Urban Residential
  - Moderate Density Residential
  - High Density Residential
  - Office / Mixed-Use
  - Office / Commercial
  - Office / Industrial
  - Office / Institutional
  - Office / Open Space / Park

- Residential Opportunity Areas
  - High (over 12 du/ac)
  - Intermediate (up to 12 du/ac)
  - Moderate (up to 8 du/ac)
  - Low (up to 5 du/ac)

- Special Land Use Condition Areas
  - Neighborhood Activity Center (NAC)
  - Community Activity Center (CAC)

- Neighborhood Activity Center (NAC) or Community Activity Center (CAC)

- Planning Area
- Railroad
- Streams
- Flood Zones

- Subject Property
- Traditional Neighborhood Continued

- Washington Park NAC

- Open Space / Park

- South Central Area Plan, 2003
- Proposed Land Use Changes
- See Narrative for Site Descriptions