



DOCKET #: W3445
(continued from 6/11/2020)

PROPOSED ZONING:
E-L

EXISTING ZONING:
GB

PETITIONER:
Woodland Properties,
Roberts Hall LLC,
19 Boo 27 Bldg LLC,
Robert Henneberg,
Industry Hill Properties,
Industry Hill Properties LLC

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

SCALE: 1" represents 300'

STAFF: Roberts

GMA: 2

ACRES: 3.35

NEAREST BLDG: 7' north

MAP(S): 6835.01



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

PETITION INFORMATION	
Docket	W-3445
Staff	Gary Roberts, Jr., AICP
Petitioner(s)	Woodland Properties, LLC; Roberts Hall, LLC; 19 Boo 27 Bldg, LLC; Robert and Lluvia Henneberg; Industry Hill Properties; and Industry Hill Properties, LLC
Owner(s)	Same
Subject Property	PINs 6835-29-9742, 6835-29-8437, 6835-29-8590, 6835-29-9527, 6835-29-9595, 6835-39-1840, 6835-39-0676, 6835-39-1648, and 6835-39-2701
Address	860, 866, 874, 876, 894 and 896 North Liberty Street and 200 East Ninth Street
Type of Request	Special Use Limited rezoning from GB to E-L
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from GB (General Business) to E-L (Entertainment – 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; Club or Lodge; Combined Use; Convenience Store; Entertainment Facility, Large; Food or Drug Store; Furniture and Home Furnishings Store; Hotel or Motel; Manufacturing A; Micro-Brewery or Micro-Distillery; Motor Vehicle, Repair and Maintenance; Museum or Art Gallery; Offices; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store; Services, A; Shopping Center; Special Events Center; Storage Services, Retail; Theater, Indoor; Utilities; Veterinary Services; Warehousing; Wholesale Trade A; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; and Residential Building, Duplex <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>
Continuance History	This request was continued from the June 11, 2020 Planning Board meeting to the July 9 meeting.
Neighborhood Contact/Meeting	The petitioner’s neighborhood outreach summary is attached.
Zoning District Purpose Statement	The E District is primarily intended to accommodate a mixture of retail, office, residential, and entertainment (indoor and outdoor) related uses. This district is intended for application in GMAs 1 and 2.

Rezoning Consideration from Section 3.2.15 A 13	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes. The site is located within GMA 2 and is adjacent to a variety of other zoning districts, including E.		
GENERAL SITE INFORMATION			
Location	North side of North Liberty Street, between North Patterson Avenue and North Chestnut Street		
Jurisdiction	Winston-Salem		
Ward(s)	North		
Site Acreage	± 3.35 acres		
Current Land Use	Multiple commercial buildings are located on the site, some of which are unoccupied. Existing businesses include Nu Marketing, JKS Marketing, Radar Brewing Company, and Rattle + Hum Automotive.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	GB	Water tower, Crisis Control Ministry, and Bethesda Center for the Homeless
	East	GB	Warehousing uses
	South	GB and PB	Bank, offices, and vacant land
	West	E and LI	Winston Cup Museum
Rezoning Consideration from Section 3.2.15 A 13	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?		
	Yes. The permitted uses proposed for this E-L district are generally compatible with the broad mixture of uses permitted on the adjacent properties. However, some of the proposed uses – such as drive-through restaurants and convenience stores (i.e., gas stations) – are not compatible with the pedestrian-oriented character of the area known as Industry Hill.		
Physical Characteristics	The developed site has a gentle slope downward from the central portion of the site in all directions.		
Proximity to Water and Sewer	Public water and sewer mains are located beneath North Liberty Street, North Patterson Avenue, and through the subject property within the former right-of-way of East Ninth Street.		
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 building at 876 North Liberty Street (PIN 6835-29-9595) is known as the Booe Building and has been surveyed and assigned FY0837 by the State Historic Preservation Office. This building was constructed in 1927 and is a standard brick commercial/industrial building.		
Analysis of General Site Information	Existing conditions offer no constraints to the rezoning and potential redevelopment of this property.		

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3389	LI, GI, GB-S to E	Approved 12/3/2018	100 feet northeast	20.91	Approval	Approval
W-3269	GB to E	Approved 9/8/2015	Directly west	1.1	Approval	Approval
W-2282	LI to GB	Approved 1/4/1999	Included a portion of the subject property	3.1	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
North Liberty Street	Minor Thoroughfare	540 feet	1,500	27,500		
North Patterson Avenue	Minor Thoroughfare	293 feet	5,300	11,900		
North Chestnut Street	Local Street	185 feet	N/A	N/A		
Proposed Access Point(s)	Because this is a Special Use Limited request without a site plan or access conditions, proposed access points are unknown. However, the site currently has access from all three adjacent streets.					
Trip Generation - Existing/Proposed	Staff is unable to estimate the existing or proposed trip generation because there is no site plan.					
Sidewalks	Sidewalks are located along all adjacent street frontages.					
Transit	WSTA Route 87 runs along North Patterson Avenue, and Route 91 serves the intersection of Martin Luther King Jr. Drive and North Liberty Street, approximately 700 feet southwest of the subject property.					
Analysis of Site Access and Transportation Information	<p>The site has extensive frontage along three public streets with sidewalks, which appear to have ample capacity. The area is also served by transit.</p> <p>When new development occurs within the E district, the developers may be required to install pedestrian crosswalks at any location within the district where pedestrians cross public streets. Additional street lighting may also be required, along with a parking study to demonstrate how parking needs can be conveniently and efficiently accommodated.</p> <p>A City driveway permit will be required for any change of use or redevelopment of the site.</p>					

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 reuse of vacant and underutilized commercial and industrial sites. • Make Downtown the dominant focus of economic and social life; a center of civic, entertainment and cultural activities; and a strong symbol of community pride and identity. • Consider requiring new buildings to be oriented to both public and internal streets and parking areas located internally on the site or behind buildings. • Concentrate development with the highest densities at city/town centers, activity centers and along growth corridors. • Encourage the development of new entertainment venues Downtown with larger facilities located near the northern edge.
Relevant Area Plan(s)	<i>North Central Winston-Salem Area Plan (2015)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The site is located within the North Liberty Street/North Chestnut Street Special Land Use Condition Area. The plan notes, “This area has the potential to be redeveloped for commercial uses, such as drinking and eating establishments, as well as for residential uses. The cul-de-sac offers the potential for a pedestrian-friendly area. The art deco service station, in particular, could be used as a pub with a mix of indoor and outdoor seating. The second stories of buildings in this area could also be converted to residential uses.”
Site Located Along Growth Corridor?	The site is located along the North Patterson Avenue Growth Corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Rezoning Consideration from Section 3.2.15 A 13	Have changing conditions substantially affected the area in the petition?
	Many of the nearby properties have experienced rezoning and/or reinvestment over the last several years.
	Is the requested action in conformance with Legacy 2030?
	Yes

<p>Analysis of Conformity to Plans and Planning Issues</p>	<p>Since the creation of the E district (which allows Entertainment Facility, Large as a use by right) in 2012, there have been numerous E or E-L rezoning approvals in this general area.</p> <p>The proposed zoning and list of requested uses are more consistent with the mixed-use/pedestrian-oriented goals of <i>Legacy</i> and the area plan than the existing GB zoning. However, some of the requested uses – specifically, Convenience Store (which is used to classify gas/fueling stations) and Restaurant (with drive-through service) – are inherently auto-focused and could work against efforts to improve and increase walkability in this area of Downtown, especially because the area plan specifically highlights the North Liberty Street cul-de-sac as a potential pedestrian-friendly area. Staff recommends they not be included in the district.</p> <p>Motor Vehicle, Repair and Maintenance is also included in the list of proposed uses. This use was primarily included to avoid creating a nonconforming situation with existing businesses at the intersection of North Patterson Avenue and North Liberty Street; however, for the reasons stated above, staff is not supportive of the general allowance of this use throughout the proposed zoning district and proposes a condition limiting the use to sites along North Patterson Avenue.</p> <p>The request is consistent with <i>Legacy</i> in that it would encourage the development of new entertainment venues near the northern edge of Downtown, and it is consistent with the <i>North Central Winston-Salem Area Plan</i>, which supports a mixture of residential, commercial, and office uses on this site. Moreover, the request may facilitate additional development and street life in this area.</p>
<p>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</p>	
<p>Positive Aspects of Proposal</p>	<p>Negative Aspects of Proposal</p>
<p>The request is consistent with the recommendation of <i>Legacy</i> regarding the reuse of underutilized commercial sites.</p>	<p>As submitted, the request includes auto-oriented uses which are generally not conducive to creating a pedestrian-oriented character.</p>
<p>The site is located along a growth corridor.</p>	
<p>The request is consistent with the recommendation of the <i>North Central Winston-Salem Area Plan</i>.</p>	
<p>The request may result in additional lighting and pedestrian crosswalks being installed by the developer based upon future development.</p>	

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following conditions are proposed to reduce negative impacts:

- **OTHER REQUIREMENTS:**
 - a. New development or redevelopment of existing property classified as Motor Vehicle, Repair and Maintenance shall only be allowed on sites with primary frontage along North Patterson Avenue.

STAFF RECOMMENDATION: Approval, with removal of Convenience Store and Restaurant (with drive-through service)

NOTE: These are **staff comments** only; the City-County Planning Board makes final recommendations, and final action is taken by the appropriate Elected Body, which may approve, deny, continue or request modification to any request. **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.**