October 26, 2016

Frank Myers Investments, LLC
265 A Patterson Center Drive
Winston-Salem, NC 27105

Re: Zoning Petition W-3305

Dear Petitioner:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

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

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102
**ACTION REQUEST FORM**

**DATE:** October 26, 2016  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning and Development Services

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning petition of Frank Myers Investments, LLC

**SUMMARY OF INFORMATION:**

Zoning petition of Frank Myers Investments, LLC from HB to GB: property is located on the north side of Specialty Park Drive, west of North Cherry Street (Zoning Docket W-3305).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED
BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from HB to GB the zoning classification of the following described property:

PIN# 6827-63-2675

Section 2. This ordinance shall become effective upon adoption.
### CITY-COUNTY PLANNING BOARD
### STAFF REPORT

**PETITION INFORMATION**

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3305</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Walter O. Farabee</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Frank Myers Investments, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN # 6827-63-2675</td>
</tr>
<tr>
<td>Address</td>
<td>525 Specialty Park Drive</td>
</tr>
<tr>
<td>Type of Request Proposal</td>
<td>General use rezoning from HB to GB</td>
</tr>
</tbody>
</table>

The petitioner is requesting to amend the Official Zoning Maps for the subject property **from** HB (Highway Business district) **to** GB (General Business district).

**NOTE:** General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.

<table>
<thead>
<tr>
<th>Neighborhood Contact/Meeting</th>
<th>The application indicates that no neighborhood meeting has been held.</th>
</tr>
</thead>
</table>

### 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)

(R)(I) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes, the site is located off of a thoroughfare street and is within an existing business/industrial development which is located within GMA 3.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>North side of Specialty Park Drive, west of North Cherry Street.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>North</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 2.17 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Currently, an unoccupied 20,400 square foot commercial building is located on the site.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>North</td>
<td>HB</td>
<td>Business use</td>
</tr>
<tr>
<td></td>
<td>East</td>
<td>HB</td>
<td>Reception and events center</td>
</tr>
<tr>
<td>Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>South</td>
<td>HB &amp; GI-S</td>
<td>Tractor trailer parking for Goodwill</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>West</td>
<td>HB</td>
<td>Undeveloped property and fertilizer storage</td>
<td></td>
</tr>
</tbody>
</table>

(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes, the mixture of uses permitted in the proposed GB district are generally compatible with the uses permitted on the adjacent HB and GI-S zoned properties.

Physical Characteristics

The developed site has a gentle to steep 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.

Analysis of General Site Information

The developed site is located within a business park like setting. The site appears to possess no development constraints such as water supply watersheds or designated floodplains.

| SITE ACCESS AND TRANSPORTATION INFORMATION |
|---|---|---|---|
| Street Name | Classification | Frontage | Average Daily Trip Count | Capacity at Level of Service D |
| Specialty Park Drive | Local Street | 325’ | NA | NA |

Proposed Access Point(s)

Because this is a general use request, the exact location of access points is unknown. The site is currently accessed from Specialty Park Drive.

Trip Generation - Existing/Proposed

Staff is unable to provide an accurate trip generation for either the existing or proposed general use zonings because there is no site plan.

Sidewalks

There are no sidewalks along Specialty Park Drive; however, there are sidewalks along North Cherry Street located to the east.

Transit

Route 4 runs along North Cherry Street.

Analysis of Site Access and Transportation Information

Staff does not foresee any transportation related issues associated with this request.

Legacy 2030 Growth Management Area

Growth Management Area 3 – Suburban Neighborhoods

CONFORMITY TO PLANS AND PLANNING ISSUES
| **Relevant Legacy 2030 Recommendations** | • Support the improvement and redevelopment of older commercial sites.  
• Encourage the reuse of vacant and underutilized commercial and industrial sites.  
• Encourage development in areas with existing infrastructure before extending infrastructure farther. |
| **Relevant Area Plan(s)** | *North Suburban Area Plan (2014)* |
| **Area Plan Recommendations** | • Area within the zoning request is shown for Commercial use on the Proposed Land Use map  
• The creation of new commercial opportunities and the improvement of existing commercial areas should blend with existing development and not infringe on nearby neighborhoods  
• Commercial areas should be compact with limited-access to major thoroughfares and should not promote strip development  
• The reuse of vacant buildings and the redevelopment of existing undeveloped and underutilized sites is recommended, where possible |
| **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. |
| **Addressing** | There are no addressing or street naming issues. |
| **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** | The subject request is to rezone an existing commercial structure located on 2.17 acres, from HB to GB. The subject property is in an existing business/industrial development surrounded by HB and GI-S zoned properties.  
The GB zoning allows for the following uses that are not allowed in HB zoned properties: Adult Establishment; Child Care Institution; Combined Use; Family Group Home B; Family Group Home C; Fraternity Or Sorority; Group Care Facility A; Group Care Facility B; Life Care Community; Manufacturing A; Nursing Care Institution; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; Shelter For Homeless; Swimming Pool, Private; and Wholesale Trade A. Staff recognizes that the Adult Establishment use may be undesirable in this location; however, the use would not be permitted given that residential districts are located within 1,000 feet of the site. |
The North Suburban Area Plan recommends commercial use for the subject property. It also recommends the reuse of vacant buildings, where possible. Staff is supportive of the subject request which allows for commercial uses for the site and that will hopefully facilitate its reuse.

### 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-2730</td>
<td>GI-S to GI-S</td>
<td>Approved 11-1-04</td>
<td>Directly south</td>
<td>1.9</td>
<td>Approval</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Staff</th>
<th>CCPR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval</td>
<td></td>
<td></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>The site is adjacent to other commercial and industrial uses.</td>
<td>The proposed GB district allows some uses which may be too intense or undesirable for the nearby residential area although location requirements limit such uses.</td>
</tr>
<tr>
<td>Request will allow for the utilization of a property that was designed for commercial and industrial uses.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the purpose statement of the proposed GB district.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the recommendations of the North Suburban Area Plan.</td>
<td></td>
</tr>
</tbody>
</table>

**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-3305
OCTOBER 13, 2016

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning petition.
SECOND: Allan Younger
VOTE:
   FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Arnold King, Darryl Little, Paul Mullican, Brenda Smith, Allan Younger
   AGAINST: None
   EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services
EXISTING HB USES ALLOWED
Winston-Salem Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Academic Biomedical Research Facility
Academic Medical Center
Animal Shelter, Public
Arts and Crafts Studio
Banking and Financial Services
Bed and Breakfast
Boarding or Rooming House
Building Contractors, General
Building Materials Supply
Car Wash
Cemetery
Child Care, Drop-In
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Club or Lodge
College or University
Convenience Store
Electronic Sweepstakes Operation
Food or Drug Store
Fuel Dealer
Funeral Home
Furniture and Home Furnishings Store
Golf Course
Government Offices, Neighborhood Organization, or Post Office
Habilitation Facility A
Habilitation Facility B
Habilitation Facility C
Hospital or Health Center
Hotel or Motel
Institutional Vocational Training Facility
Kennel, Indoor
Library, Public
Motor Vehicle, Body or Paint Shop
Motor Vehicle, Rental and Leasing
Motor Vehicle, Repair and Maintenance
Motor Vehicle, Storage Yard
Motorcycle Dealer
Museum or Art Gallery
Nursery, Lawn and Garden Supply Store, Retail
Offices
Outdoor Display Retail
Park and Shuttle Lot
Parking, Commercial
Police or Fire Station
Recreation Facility, Public

Uses Allowed in HB

Revised 10/19/2015
EXISTING HB USES ALLOWED

Winston-Salem Jurisdiction Only

Recreation Services, Indoor
Recreation Services, Outdoor
Recreational Vehicle Park
Restaurant (with drive-through service)
Restaurant (without drive-through service)
Retail Store
School, Vocational or Professional Services
Services A
Services B
Shopping Center
Shopping Center, Small
Signs, Off-Premises
Stadium, Coliseum, or Exhibition Building
Storage Services, Retail
Terminal, Bus or Taxi
Testing and Research Lab
Theater, Drive-In
Theater, Indoor
Transmission Tower
Urban Agriculture
Utilities
Veterinary Services
Warehousing

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)

Adult Day Care Center
Child Care, Sick Children
Child Day Care Center
Landfill, Construction and Demolition
Landfill, Land Clearing/Inert Debris
School, Private
School, Public

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)

Borrow Site
Dirt Storage
Helistop

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)

Access Easement, Private Off-Site
Entertainment Facility, Large
Correctional Institution

Uses Allowed in HB

Revised 10/19/2015
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Academic Biomedical Research Facility
Academic Medical Center
Adult Establishment
Animal Shelter, Public
Arts and Crafts Studio
Banking and Financial Services
Bed and Breakfast
Boarding or Rooming House
Building Contractors, General
Building Materials Supply
Car Wash
Cemetery
Child Care, Drop-In
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Club or Lodge
College or University
Combined Use
Convenience Store
Food or Drug Store
Fraternity or Sorority
Fuel Dealer
Funeral Home
Furniture and Home Furnishings Store
Government Offices, Neighborhood Organization, or Post Office
Habilitation Facility A
Habilitation Facility B
Habilitation Facility C
Hospital or Health Center
Hotel or Motel
Institutional Vocational Training Facility
Kennel, Indoor
Library, Public
Manufacturing A
Motor Vehicle, Body or Paint Shop
Motor Vehicle, Rental and Leasing
Motor Vehicle, Repair and Maintenance
Motor Vehicle, Storage Yard
Motorcycle Dealer
Museum or Art Gallery
Nursery, Lawn and Garden Supply Store, Retail
Nursing Care Institution
Offices
Outdoor Display Retail

Uses Allowed in GB
PROPOSED GB USES ALLOWED
Winston-Salem Jurisdiction Only

Park and Shuttle Lot
Parking, Commercial
Police or Fire Station
Recreation Facility, Public
Recreation Services, Indoor
Recreation Services, Outdoor
Restaurant (with drive-through service)
Restaurant (without drive-through service)
Retail Store
School, Vocational or Professional
Services A
Services B
Shopping Center
Shopping Center, Small
Stadium, Coliseum, or Exhibition Building
Storage Services, Retail
Swimming Pool, Private
Terminal, Bus or Taxi
Testing and Research Lab
Theater, Indoor
Transmission Tower
Urban Agriculture
Utilities
Veterinary Services
Warehousing
Wholesale Trade A

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care Institution
Child Care, Sick Children
Child Day Care Center
Family Group Home B
Family Group Home C
Group Care Facility A
Group Care Facility B
Landfill, Construction and Demolition
Landfill, Land Clearing/Inert Debris
Life Care Community
Residential Building, Multifamily
Residential Building, Townhouse
Residential Building, Twin Home
Residential Building, Duplex
School, Private
School, Public

Uses Allowed in GB

Revised 10/19/2015
USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
- Borrow Site
- Dirt Storage
- Helistop

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
- Access Easement, Private Off-Site
- Entertainment Facility, Large
- Shelter for Homeless
- Correctional Institution
USES ALLOWED UNDER PROPOSED “SERVICES, A”

SERVICES, A. An establishment primarily engaged in providing a service(s) to business and individuals. All merchandise and rental equipment is stored inside enclosed buildings. Services A includes the following list of uses (including SIC groups and all subcategories not elsewhere listed):

- 7212 Garment Pressing and Agents for Laundries and Drycleaners
- 7215 Coin-Operated Laundries and Cleaning
- 7216 Drycleaning Plants, Except Rug
- 7217 Carpet and Upholstery Cleaning
- 722 Photographic Studios, Portrait
- 723 Beauty Shops
- 724 Barber Shops
- 725 Shoe Repair and Shoeshine Parlors
- 729 Miscellaneous Personal Services
- 733 Mailing, Reproduction, Commercial Art and Photography
- 735 Equipment Rental and Leasing (only with inside storage of equipment)
- 737 Computer Programming, Data Processing and other Computer Related Services (Except Computer Programming, 7371; Prepackaged Software, 7372; and, Computer System Design, 7373)
- 738 Miscellaneous Business Services
- 762 Electrical Repair Shops
- 763 Watch, Clock, and Jewelry Repair
- 764 Reupholstery and Furniture Repair
- 7699 Uses from SIC 7699 primarily engaged in providing repair and other services to business and individuals, that by the nature of their operation have little impact on adjoining property due to noise, odor, vibration, and/or air or water pollution. All repair items and supplies are stored in enclosed buildings. These uses include repair of small or precision equipment, such as medical, dental laboratory or drafting equipment, and the repair of personal use property such as cameras, musical instruments, and bicycles, and other services, including locksmiths and custom picture framing.
SERVICES, B. An establishment primarily engaged in providing services to commercial and business establishments. Operations may include large scale facilities and storage of merchandise and equipment outside enclosed buildings. Services B includes the following list of uses (including SIC groups and all subcategories not elsewhere listed):

721  Laundry, Cleaning, and Garment Services Except those listed under Services A
7312 Outdoor Advertising Services
734  Services to Dwellings and Other Buildings
735  Equipment Rental and Leasing (with outside storage of equipment)
7623 Refrigeration Service and Repair
7692  Welding Repair
7694 Armature Rewinding Shops
7699 Establishments from SIC 7699 primarily engaged in providing repair and other services to businesses and to a lesser extent, individuals, that by the nature of their operation could impact adjoining property due to noise, odor, vibration, and/or air or water pollution. Uses include repair or servicing of large or heavy machinery, such as engines and appliances, and welding, blacksmith or gunsmith shops, and septic tank or sewer cleaning services, but not to include agriculture and farm equipment, industrial truck repair, and motorcycle repair.