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
Hutton, 736 Cherry St., Chattanooga, TN 37402
Berry Engineers, 3555 Keith Street, Suite 109, Cleveland, TN  37312
### ACTION REQUEST FORM

<table>
<thead>
<tr>
<th>DATE:</th>
<th>December 16, 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM:</td>
<td>A. Paul Norby, FAICP, Director of Planning and Development Services</td>
</tr>
</tbody>
</table>

### COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning petition of Hubbard Realty of Winston-Salem, Inc.

### SUMMARY OF INFORMATION:

A. Public hearing on zoning petition of Hubbard Realty of Winston-Salem, Inc. from GI to LB: property is located on the south side of Country Club Road, east of Styers Ferry Road (Zoning Docket W-3313).

B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, North Carolina.

### PLANNING BOARD ACTION:

<table>
<thead>
<tr>
<th>MOTION ON PETITION:</th>
<th>APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOR:</td>
<td>UNANIMOUS</td>
</tr>
<tr>
<td>AGAINST:</td>
<td>NONE</td>
</tr>
<tr>
<td>SITE PLAN ACTION:</td>
<td>NOT REQUIRED</td>
</tr>
</tbody>
</table>
CITY ORDINANCE - GENERAL USE

Zoning Petition of Hubbard Realty of Winston-Salem, Inc., Docket W-3313

AN ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM, N.C.

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 GI to LB the zoning classification of the following described property:

Commencing at a 1/2" iron pipe lying in the southern right of way of Country Club Road and being the northeast corner of Country Club Carwash, LLC tax parcel 5895-35-7692 and the northwest corner of Hubbard Realty of Winston-Salem, Inc. tax parcel 5895-35-7481; Thence with the southern right of way of Country Club Road S 84°13'54" E 60.20' to a new 5/8u rebar, the point and place of beginning, lying at the northeast corner of tax parcel 5895-35-7481 and the northwest corner of tax parcel 5895-35-9686; Thence with the southern right of way S 84°13'54" E 160.00' to a new 5/8u rebar in the southern right of way of Country Club Road and the northern line of tax parcel 5895-35-9686; Thence with a new line S 05°21'11" W 211.45' to a new 5/8u rebar lying in the southern line of tax parcel 5895-35-9586; Thence with the southern line of tax parcel 5895-35-9586 N 83°51'17"W 160.00' to a 1/2u iron pipe in the eastern line of tax parcel 5895-35-7481; Thence with the eastern line of tax parcel 5895-35-7481 N 05°21'00" E 210.40' to the point and place of beginning, having an area of 33746 Square Feet, 0.775 Acres, more or less.

Being a portion of PIN# 5895-35-9586 and a portion of PIN# 5895-35-9686

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-3313</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Hubbard Realty of Winston-Salem, Inc.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Portion of PIN# 5895-35-9586 and a portion of PIN# 5895-35-9686</td>
</tr>
<tr>
<td>Address</td>
<td>There is currently no assigned address to the subject property.</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General use rezoning from GI to LB</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from GI (General Industrial) to LB (Limited Business).</td>
</tr>
</tbody>
</table>

**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>
<tbody>
<tr>
<td>Zoning District Purpose Statement</td>
<td>The LB District is primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods, including smaller business locations up to ten (10) acres in size in rural areas. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so that this district, in some instances, may serve as a transition between residential districts and other commercial districts. This district is intended for application in GMAs 2, 3, 4 and 5.</td>
</tr>
</tbody>
</table>

### 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 site is located along a major thoroughfare adjacent to other commercially zoned properties.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>South side of Country Club Road, east of Styers Ferry Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>West</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± .77 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site is currently undeveloped.</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 and self-storage</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(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 commercial uses permitted in the proposed LB district are compatible with the commercial and industrial uses permitted on the adjacent HB and GI zoned properties.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Physical Characteristics</td>
<td>The site has been cleared and graded and has a gentle slope downward toward the southeast.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proximity to Water and Sewer</td>
<td>Public water and sewer are available to the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stormwater/Drainage</td>
<td>No known issues.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Watershed and Overlay Districts</td>
<td>The site is not located within a water supply watershed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Analysis of General Site Information</td>
<td>The subject property has no apparent constraints and would therefore be suitable for development within the proposed LB district.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country Club Road</td>
<td>Major Thoroughfare</td>
<td>145'</td>
<td>13,000</td>
<td>15,300</td>
</tr>
</tbody>
</table>

**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 Country Club Road.

**Planned Road Improvements**

The Comprehensive Transportation Plan recommends a three lane cross section with wide outside lanes, curb and gutter, and sidewalks for this portion of Country Club Road.

**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 located in the general area.

**Transit**

Route 12 serves the intersection of Country Club Road and Peace Haven Road located approximately 1.67 miles to the east.

**Analysis of Site Access and Transportation Information**

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

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy 2030 Growth Management Area**

Growth Management Area 3 – Suburban Neighborhoods
| Relevant Legacy 2030 Recommendations | - Promote activity centers as compact, mixed-use areas supporting walking and transit use and providing services and employment close to residences.  
- Encourage reuse of vacant and underutilized commercial and industrial sites. |
| Relevant Area Plan(s) | West Suburban Area Plan (2011) |
| Area Plan Recommendations | The subject property is located within the Country Club Road/Shallowford Activity Center and is recommended for commercial use. Much of the existing nonresidential development in this activity center is suitable for redevelopment. Redevelopment of individual parcels of land within the activity center should be done comprehensively, and parcel-by-parcel redevelopment is not recommended. New development in the Country Club Road/Shallowford Road activity center should be either commercial/office or high-density residential. New development here should have a pedestrian-oriented urban form with buildings near the street featuring transparent windows and doors, façade articulation, and parking to the side and rear of buildings. Uses within the activity center should be linked to each other and the surrounding area with pedestrian and vehicular connections. |
| Site Located Along Growth Corridor? | The site is located along the Country Club Road Growth Corridor. |
| Site Located within Activity Center? | The site is located within the Country Club Road/Shallowford Activity Center. |
| 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 a .77 acre undeveloped lot from GI to LB. The West Suburban Area Plan identifies the subject property as being located within the Country Club Road/Shallowford Activity Center. The recommended land use is commercial, which is consistent with the proposed LB district.  
While a pedestrian-oriented urban form of building placement and connectivity is recommended for new development within this activity center, Planning staff sees a limited opportunity to achieve these long range goals with the current request due to the limited size of the subject property. Planning staff recommends approval of the subject request. |
## 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-3234</td>
<td>HB &amp; GI-S to HB-L</td>
<td>Approved 9-2-14</td>
<td>400' to the east</td>
<td>1.82</td>
<td>Approval</td>
</tr>
<tr>
<td>F-1223</td>
<td>LI to GI</td>
<td>Approved 4-13-98</td>
<td>Included subject property</td>
<td>5.06</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>The request is consistent with the recommended commercial land use of the Country Club Road/Shallowford Activity Center.</td>
<td>With general use zoning, compliance with the specific area plan recommendations cannot be assured.</td>
</tr>
<tr>
<td>The site is surrounded by GI and HB zoned property.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the purpose statement of the proposed LB district.</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-3313
DECEMBER 8, 2016

PUBLIC HEARING

FOR:  None

AGAINST:  None

WORK SESSION

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

__________________________
A. Paul Norby, FAICP
Director of Planning and Development Services
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Academic Biomedical Research Facility
Adult Establishment
Animal Feeding Operation
Animal Shelter, Public
Arts and Crafts Studio
Banking and Financial Services
Building Contractors, General
Building Contractors, Heavy
Building Materials Supply
Bulk Storage of Petroleum Products
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Correctional Institution
Fish Hatchery
Fuel Dealer
Golf Course
Government Offices, Neighborhood Organization, or Post Office
Kennel, Indoor
Manufacturing A
Manufacturing B
Manufacturing C
Motor Vehicle, Body or Paint Shop
Motor Vehicle, Rental and Leasing
Motor Vehicle, Repair and Maintenance
Motor Vehicle, Storage Yard
Offices
Park and Shuttle Lot
Parking, Commercial
Police or Fire Station
Postal Processing Facility
Recreation Facility, Public
Recreation Services, Indoor
Recreation Services, Outdoor
Recycling Center
Recycling Plant
School, Vocational or Professional
Services A
Services B
Signs, Off-Premises
Solid Waste Transfer Station
Storage and Salvage Yard
Storage Services, Retail
Storage Trailer
Terminal, Bus or Taxi
Terminal, Freight

Uses Allowed in GI
EXISTING GI USES ALLOWED
City of Winston-Salem Jurisdiction Only

Testing and Research Lab
Transmission Tower
Urban Agriculture
Utilities
Veterinary Services
Warehousing
Wholesale Trade A
Wholesale Trade B

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Airport, Private
Heliport
Landfill, Construction and Demolition
Landfill, Land Clearing/Inert Debris
Meat Packing Plant
Motor Vehicle Dismantling and Wrecking Yard

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Airport, Public
Borrow Site
Dirt Storage
Helistop

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Asphalt and Concrete Plant
Hazardous Waste Management Facility
Landfill, Sanitary
Mining, Quarry, or Extractive Industry
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Animal Shelter, Public
Arts and Crafts Studio
Banking and Financial Services
Bed and Breakfast
Car Wash
Child Care, Drop-In
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Club or Lodge
Combined Use
Convenience Store
Food or Drug Store
Funeral Home
Furniture and Home Furnishings Store
Government Offices, Neighborhood Organization, or Post Office
Habilitation Facility A
Habilitation Facility B
Habilitation Facility C
Kennel, Indoor
Library, Public
Limited Campus Uses
Motor Vehicle, Rental and Leasing
Motor Vehicle, Repair and Maintenance
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
Recreation Services, Indoor
Restaurant (without drive-through service)
Retail Store
School, Vocational or Professional
Services A
Shopping Center
Shopping Center, Small
Transmission Tower (see UDO)
Urban Agriculture
Utilities
Veterinary Services

Uses Allowed in LB

Revised 10/19/2015
USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care, Sick Children
Child Day Care Center
School, Private
School, Public

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

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
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 Carpe: and Upholstery Cleaning
- 722 Photographic Studios, Portrait
- 723 Beauty Shops
- 724 Barbe: 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.