January 20, 2016

Forsyth Economic Ventures, Inc.
500 West 4th Street
Winston Salem, NC 27101

Re: Zoning Petition W-3286

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:     | January 20, 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 Forsyth Economic Ventures, Inc.

SUMMARY OF INFORMATION:

Zoning petition of Forsyth Economic Ventures, Inc. from PB-S to PB: property is located on the southeast corner of Liberty Street and Bethlehem Lane (Zoning Docket W-3286).

PLANNING BOARD ACTION:

| MOTION ON PETITION: | APPROVAL |
| FOR:                | UNANIMOUS |
| AGAINST:            | NONE |
| SITE PLAN ACTION:   | NOT REQUIRED |
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 PB-S to PB the zoning classification of the following described property:

PIN # 6836-53-3699

Section 2. This ordinance shall become effective upon adoption.
### PETITION INFORMATION

| Docket # | W-3286 |
| Staff | Gary Roberts, Jr, AICP |
| Petitioner(s) | Forsyth Economic Ventures, Inc. |
| Owner(s) | Same |
| Subject Property | PIN # 6836-53-3699 |
| Address | 1811 North Liberty Street |
| Type of Request | General use rezoning from PB-S to PB |

**Proposal**
The petitioner is requesting to amend the Official Zoning Maps for the subject property from PB-S [Pedestrian Business – special use zoning - Convenience Store; Restaurant (without drive-through service); Retail Store; Motor Vehicle Repair, and Maintenance; and Services, A] to PB (Pedestrian 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.

**Neighborhood Contact/Meeting**
The City of Winston-Salem staff will be making the arrangements for a neighborhood meeting which will be held after the January 14, 2016 Planning Board meeting.

**Zoning District Purpose Statement**
The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.

**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 already zoned PB-S and it is adjacent to other commercially zoned properties. The site is also located within an activity center.
# GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Southeast corner of Liberty Street and Bethlehem Lane</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Northeast</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± .36 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site is currently undeveloped with the exception of an informal parking area.</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>RSQ</td>
<td>The Gathering Place at Fairview Park</td>
</tr>
<tr>
<td>East</td>
<td>RSQ</td>
<td>Single family homes</td>
</tr>
<tr>
<td>South</td>
<td>PB</td>
<td>Parking lot</td>
</tr>
<tr>
<td>West</td>
<td>GB</td>
<td>Canaan Missionary Baptist Church</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?

The uses permitted in the proposed PB district are compatible with the uses permitted on the adjacent PB and GB zoned properties and less compatible with the uses permitted on the adjacent RSQ zoned properties. It should also be noted that the City of Winston-Salem has a long-term lease on the subject property with the current owners.

### Physical Characteristics

The site is essentially flat.

### 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 site appears to possess no development constraints such as steep slopes, designated floodplains, or water supply watersheds.

# 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>Liberty Street</td>
<td>Major Thoroughfare</td>
<td>125’</td>
<td>4,700</td>
<td>13,800</td>
</tr>
<tr>
<td>Bethlehem Lane</td>
<td>Local Street</td>
<td>148’</td>
<td>NA</td>
<td>NA</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 Liberty Street; however, motorists also use an informal access from Bethlehem Lane in order to traverse through the site to access Liberty Street.
| **Trip Generation - Existing/Proposed** | Existing Zoning: PB-S (Based on the currently approved site plan) 2,136 sf / 1,000 x 15.86 (Automobile Care Center Trip Rate) = 34 Trips per Day  
Proposed Zoning: PB  
No trip generation is available for the proposed general use zoning which has no site plan. |
| **Sidewalks** | The area is well served by sidewalks. |
| **Transit** | Route 17 runs along Cleveland Avenue located approximately 1,100' to the east. |
| **Analysis of Site Access and Transportation Information** | The subject property is located in an area which has an extensive sidewalk network and is characterized by a healthy amount of pedestrian traffic. These factors are conducive to the proposed PB zoning district. Staff does not anticipate any negative transportation impacts from this request. |

### CONFORMITY TO PLANS AND PLANNING ISSUES

| **Legacy 2030 Growth Management Area** | Growth Management Area 2 - Urban Neighborhoods |
| **Relevant Legacy 2030 Recommendations** | • Revitalize or redevelop distressed areas with a mix of housing types and services in well-designed, walkable communities to attract new residents.  
• Encourage public and private actions to improve the physical environment of neighborhoods experiencing disinvestment.  
• Consider the impact on older commercial areas when evaluating proposals for new commercial rezoning. |
| **Relevant Area Plan(s)** | **East-Northeast Area Plan Update (2015)** |
| **Area Plan Recommendations** | • Continue strengthening the existing commercial area through public and private improvements.  
• Incorporate more mixed-use development within the activity center, either through redevelopment or new development.  
• Strengthen pedestrian connections between residential and commercial uses. |
| **Site Located Along Growth Corridor?** | The site is located along the Liberty Street Growth Corridor. |
| **Site Located within Activity Center?** | The site is located within the Liberty Street 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 |
The request is to rezone the site from PB-S to PB. The approved site plan for the subject property includes an access onto Bethlehem Lane along with a portion of a proposed multi-tenant commercial building and associated parking which extends southward onto some adjacent properties. The site is currently vacant as these improvements have not been made. Should the subject request be approved, said site plan would no longer be in effect.

The recently adopted *East-Northeast Area Plan Update* recommends mixed land use for this site which is also located within the Liberty Street Activity Center. The proposed PB district is an appropriate zoning district for properties within an activity center as this district promotes a mixture of uses to be developed in a pedestrian oriented manner.

<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-2834</td>
<td>RSQ to PB-S</td>
<td>Approved 2-6-06</td>
<td>Current site</td>
<td>.35</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 site is currently zoned PB-S.</td>
<td>The proposed general use rezoning does not include a site plan.</td>
</tr>
<tr>
<td>The site is adjacent to GB and PB zoned properties.</td>
<td></td>
</tr>
<tr>
<td>The proposed rezoning may facilitate redevelopment of the site.</td>
<td></td>
</tr>
<tr>
<td>The site fronts on a major thoroughfare which has excess capacity and is designated as a growth corridor.</td>
<td></td>
</tr>
<tr>
<td>The area has a significant amount of pedestrian traffic and it is well served by sidewalks.</td>
<td></td>
</tr>
<tr>
<td>The site is located within the Liberty Street Growth Corridor.</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.
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, Arnold King, Clarence Lambe, Darryl Little, Paul Mullican, Brenda Smith, Allan Younger
   AGAINST: None
   EXCUSED: None
DOCKET #: W3286

PROPOSED ZONING:
PB

EXISTING ZONING:
PB-S

PETITIONER:
Forsyth Economic Ventures Inc.

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 2

ACRES: 0.36

NEAREST BLDG: 0' east

MAP(S): 6836.04

Property included in zoning request.

500' mail notification radius. Property not in zoning request.
Proposed Land Use

- High-Density Residential (8.1-18 DU/Ac)
- Intermediate-Density Residential (0-8 DU/Ac)
- Single-Family Residential
- High-Density Residential (over 18 DU/Ac)
- Mixed-Use Development
- Office/Low-Intensity Commercial
- Commercial
- Institutional
- park
- Open space
- Utilities

Residential Opportunity Areas

- Moderate Density (up to 8 DU/Ac)

Proposed Growth Corridor

- Urban/Suburban Form - Special Land Use Condition Areas
- Urban Form - Activity Center

See area plan for specific recommendations.)

Proposed land uses shown are generalized.
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Academic Biomedical Research Facility
Academic Medical Center
Adult Day Care Home
Arts and Crafts Studio
Banking and Financial Services
Bed and Breakfast
Boarding or Rooming House
Building Contractors, General
Car Wash
Child Care, Drop-In
Child Day Care, Small Home
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Club or Lodge
College or University
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
Hospital or Health Center
Hotel or Motel
Institutional Vocational Training Facility
Library, Public
Motor Vehicle, Rental and Leasing
Motor Vehicle, Repair and Maintenance
Motorcycle Dealer
Museum or Art Gallery
Nursing Care Institution
Offices
Park and Shuttle Lot
Parking, Commercial
Police or Fire Station
Postal Processing Facility
Recreation Facility, Public
Recreation Services, Indoor
Recreation Services, Outdoor
Residential Building, Duplex
PROPOSED PB USES ALLOWED
Winston-Salem Jurisdiction Only

Building, Single Family
Residential Building, Twin Home
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
Swimming Pool, Private
Terminal, Bus or Taxi
Testing and Research Lab
Theater, Indoor
Transmission Tower (see UDO)
Urban Agriculture
Utilities
Warehousing

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
Life Care Community
Residential Building, Multifamily
Residential Building, Townhouse
School, Private
School, Public

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

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Shelter for Homeless
Storage Services, Retail
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.