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October 23, 2013

Gateway Holdings, LLC  
c/o Frank Hinman  
P. O. Box 596  
Winston-Salem, NC 27102

Re: Zoning Petition W-3202

Dear Mr. Hinman:

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  
Gene Mustin, 621 Eugene Court, Suite 100, Greensboro, NC 27401

**City Council:** Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; Molly Leight, South Ward; Wanda Merschel, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

**Forsyth County Commissioners:** Richard V. Linville, Chairman; Gloria D. Whisenhunt, Vice Chair; Mark Baker; Walter Marshall; David R. Plyler, Bill Whiteheart; Everette Witherspoon; County Manager: Dudley Watts, Jr.

**City-County Planning Board:** Arnold G. King, Chair; Allan Younger, Vice-Chair; Tommy Hicks; Clarence R. Lambe, Jr.; Darryl Little; Barry A. Lyons; Lynne Mitchell; Paul W. Mullican; Brenda J. Smith

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**ACTION REQUEST FORM**

**DATE:** October 23, 2013  
**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 Gateway Holdings LLC

**SUMMARY OF INFORMATION:**

Zoning petition of Gateway Holdings LLC from GI to GB-L [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; 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; 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; 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; Utilities; Veterinary Services; Warehousing; Wholesale Trade A; 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; Habilitation Facility C; Landfill, Construction and Demolition; Landfill, Land Clearing/Inert Debris; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Transmission Tower; Borrow Site; Dirt Storage; Helistop; Access Easement, Private Off-Site; and Shelter for Homeless]: property is located on the northwest corner of Waughtown Street and Old Lexington Road (Zoning Docket W-3202).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED

CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of Gateway Holdings LLC, Docket W-3202

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

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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 GB-L [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; 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; 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; 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;

Utilities; Veterinary Services; Warehousing; Wholesale Trade A; 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; Habilitation Facility C; Landfill, Construction and Demolition; Landfill, Land Clearing/Inert Debris; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Transmission Tower; Borrow Site; Dirt Storage; Helistop; Access Easement, Private Off-Site; and Shelter for Homeless] the zoning classification of the following described property:

PIN# 6834-77-3131

Section 2. This Ordinance is adopted after approval of the Special Use Limited District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ to Gateway Holdings LLC.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Gateway Holdings LLC. Said Special Use Limited District Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE LIMITED DISTRICT PERMIT

SPECIAL USE LIMITED DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use Limited District Permit for the zoning petition of Gateway Holdings LLC, (Zoning Docket W-3202). The site shall be developed in accordance with the conditions approved by the Board and the following uses: 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; 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; 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; 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; Utilities; Veterinary Services; Warehousing; Wholesale Trade A; 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; Habilitation Facility C; Landfill, Construction and Demolition; Landfill, Land Clearing/Inert Debris; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Transmission Tower; Borrow Site; Dirt Storage; Helistop; Access Easement, Private Off-Site; and Shelter for Homeless, approved by the Winston-Salem City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ " and signed, provided the property is developed in accordance with requirements of the GB-L zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws. No additional conditions are recommended.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3202
<b>Staff</b>	<a href="#">Gary Roberts, Jr. AICP</a>
<b>Petitioner(s)</b>	Gateway Holdings LLC
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN# 6834-77-3131
<b>Address</b>	585 Waughtown Street
<b>Type of Request</b>	Special use limited rezoning from GI to GB-L
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> GI (General Industrial district) <b>to</b> GB-L (General Business – special use limited district). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• 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; 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; 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; 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; Utilities; Veterinary Services; Warehousing; Wholesale Trade A; 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; Habilitation Facility C; Landfill, Construction and Demolition;</li> </ul>

	Landfill, Land Clearing/Inert Debris; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Transmission Tower; Borrow Site; Dirt Storage; Helistop; Access Easement, Private Off-Site; and Shelter for Homeless		
<b>Neighborhood Contact/Meeting</b>	The application indicates that no neighborhood meeting has been held.		
<b>Zoning District Purpose Statement</b>	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 (Growth Management Areas) 1 (City/Town Centers), 2 (Urban Neighborhoods), and 3 (Suburban Neighborhoods) and Metro Activity Centers.		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes, the site is located within GMA 2, along a boulevard in an area which includes a mixture of uses and zoning.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	Northwest corner of Waughtown Street and Old Lexington Road		
<b>Jurisdiction</b>	City of Winston-Salem		
<b>Ward(s)</b>	East		
<b>Site Acreage</b>	± 4.54 acres		
<b>Current Land Use</b>	Currently two office buildings with the associated parking areas are located on the property. The buildings range from one to three stories in height have an approximate total square footage of 95,900.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	GI	Various industrial buildings
	East	GI	
	South	HB	Retail and service uses
West	GI	Railroad and US 52	
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>		
	The proposed mixture of uses is generally compatible with the non-residential uses permitted on the adjacent commercially and industrially zoned properties.		
<b>Physical Characteristics</b>	The developed site has a gentle slope downward toward the northern portion of the property. The site is adjacent to a railroad and otherwise has no apparent development constraints.		



<b>Proximity to Water and Sewer</b>	Public water and sewer are available.			
<b>Stormwater/ Drainage</b>	No known issues.			
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed.			
<b>Historic, Natural Heritage and/or Farmland Inventories</b>	The larger of the two buildings on the site was constructed in 1969 and served as the headquarters for the McLean Trucking Company. This building was designed in the Modernist style by local architect Fred W. Butner, Jr. The three-story building features exposed concrete spandrels that accent the brick exterior. Paired brick fins and sculptured concrete hoods that surround narrow, tall plate glass windows at the second and third story levels. The building was identified in 2009 as part of Forsyth County's architectural survey update. Recommended for the North Carolina National Register Study List, the building was not included because it is less than 50 years old. However, the building could likely achieve National Register designation once it becomes 50 years of age.			
<b>Analysis of General Site Information</b>	The site is developed with two office buildings with a total of 95,900 square feet. The site is adjacent to an active rail line. The proposed GB-L district would permit the current office uses to continue and would also allow for a complete redevelopment of the site.			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
Waughtown Street	Major Thoroughfare	340'	9,700	31,700
Old Lexington Road	Major Thoroughfare	200'	NA	NA
<b>Proposed Access Point(s)</b>	Because this is a special use limited request with no site plan or access conditions, the exact location of access points is unknown. The site is currently accessed from an extension of Old Lexington Road which is located on the north side of Waughtown Street.			
<b>Trip Generation - Existing/Proposed</b>	No trip generation is available for either the existing or proposed zoning districts which have no site plan.			
<b>Sidewalks</b>	Sidewalks are located along both sides of Waughtown Street.			
<b>Transit</b>	Route 29 runs along Sprague Street 600' to the south.			
<b>Analysis of Site Access and Transportation Information</b>	While the site has frontage along Waughtown Street it no longer has access onto said street as a result of a previous widening and grade change. Access is provided by a northern extension of Old Lexington Road. There is a considerable amount of pedestrian traffic by the site. Some of the proposed non-residential uses, if developed, could result in more traffic than what currently occurs with the existing office uses. A driveway permit will be required for any change of use.			

CONFORMITY TO PLANS AND PLANNING ISSUES						
<b>Legacy GMA</b>		Growth Management Area 2 - Urban Neighborhoods				
<b>Relevant Legacy Recommendations</b>		<ul style="list-style-type: none"> <li>• Encourage reuse of vacant and underutilized commercial and industrial sites.</li> <li>• A pedestrian-friendly orientation for new development and redevelopment and reducing the visual dominance of parking areas.</li> </ul>				
<b>Relevant Area Plan(s)</b>		<i>Southeast Winston-Salem Area Plan Update (2013)</i>				
<b>Area Plan Recommendations</b>		<ul style="list-style-type: none"> <li>• The Plan recommends office use for the subject property.</li> </ul>				
<b>Addressing</b>		Because the vehicular access to this site is from Old Lexington Road, any major changes to the site may trigger a new address assignment from Waughtown Street to Old Lexington Road.				
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>		<b>(R)(3) - Have changing conditions substantially affected the area in the petition?</b>				
		No				
		<b>(R)(4) - Is the requested action in conformance with Legacy?</b>				
		Yes				
<b>Analysis of Conformity to Plans and Planning Issues</b>		<p>The site is located in an established urban area characterized by a mixture of uses and considerable pedestrian traffic. The <i>Southeast Winston-Salem Area Plan Update</i> recommends office use for the site. This recommendation was primarily based upon the current office uses. Both the existing GI district and the proposed GB-L districts allow office use. The proposed GB-L district would open up the possibility for a wider array of uses including commercial and multifamily residential. Such a mixture of uses (along with the parking reductions and lack of building setbacks allowed within the proposed GB-L district) would be more conducive for allowing a more pedestrian oriented and/or mixed use redevelopment of the site than the existing GI zoning.</p> <p>The City of Winston-Salem recently invested \$674,392 in low-interest and forgivable loans via the RUCA (Revitalizing Urban Commercial Areas) program across Waughtown Street and along Monmouth Street to the southeast. Other rezonings to the GB district have recently taken place west of the subject property. Staff recommends approval of the request.</p>				
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3167	HB & LI to GB	Approved 3-4-13	400' west	1.3	Approval	Approval
W-3136	HB & LI to GB	Approved 5-7-12	500' west	3.62	Approval	Approval

<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>	
<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The GB District is more consistent with the recommendation of the area plan than the existing GI district.	The request to GB-L may result in the redevelopment of the site with uses which may increase the vehicular traffic.
The request is generally consistent with the development pattern of the surrounding area and consistent with other recent rezonings to GB in the area.	
The request may facilitate the reuse and/or redevelopment of the site.	
The request is consistent with the purpose statement of the proposed GB district.	

**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.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3202  
OCTOBER 10, 2013**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe moved approval of the zoning petition.

SECOND: Paul Mullican

VOTE:

FOR: Arnold King, Clarence Lambe, Barry Lyons, Lynne Mitchell, Paul Mullican,  
Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

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