



October 23, 2013

William and Shirley Gregory
6668 Old Lexington Road
Winston-Salem, NC 27107

Re: Zoning Petition W-3203

Bryce A. Stuart Municipal Building
100 E. First Street
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.748.3163
www.cityofws.org/planning

Dear Mr. and Ms. Gregory:

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

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

CityLink311

Call 311 or 336-727-8000
citylink@cityofws.org

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 William & Shirley Gregory

SUMMARY OF INFORMATION:

Zoning petition of William & Shirley Gregory from LI 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 southwest corner of Haled Street and Glendale Street (Zoning Docket W-3203).

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 William and Shirley Gregory, Docket W-3203

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 LI 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#s 6834-67-6074 and 6834-67-6032

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 William and Shirley Gregory.

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 William and Shirley Gregory. 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 William and Shirley Gregory, (Zoning Docket W-3203). 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**

PETITION INFORMATION	
Docket #	W-3203
Staff	Aaron King
Petitioner(s)	William & Shirley Gregory
Owner(s)	Same
Subject Property	PIN# 6834-67-6074 and 6834-67-6032
Address	430 Haled Street
Type of Request	Special use limited rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial) to GB-L (General Business – special use limited zoning). The petitioners are requesting the following uses:</p> <ul style="list-style-type: none"> • 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;

	<p>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</p> <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>		
Neighborhood Contact/Meeting	The application indicates that no neighborhood meeting has been held.		
Zoning District Purpose Statement	<p>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.</p>		
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 in GMA 2 (Urban Neighborhoods) adjacent to other non-residential zoning districts including the GB district.		
GENERAL SITE INFORMATION			
Location	Southwest corner of Haled Street and Glendale Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	Southeast		
Site Acreage	± 0.62 acre		
Current Land Use	Until recently the site was the home of Bill's Lawn and Garden, a 2,312 square foot, one story building.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	GB	Goodwill parking
	East	LI	US 52
	South	LI	Sunnyside Ice company
	West	LI	Industrial warehouse
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?		
	Yes, the proposed mixture of GB district uses are compatible with the uses permitted on the adjacent GB and LI zoned properties.		

Physical Characteristics	The developed site has a gentle slope downward to the west.			
Proximity to Water and Sewer	The site has access to public sewer and water.			
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 subject property (formerly known as the Farmer's Cooperative Exchange) was a contributing property in the Sunnyside-Central Terrace National Register Historic District. However, since the time of the National Register designation, extensive alterations have taken place with the main structure on the site and its historic integrity has been lost. Therefore, Historic Resources staff does not recommend any conditions on the rezoning petition.			
Analysis of General Site Information	The site is located within the Sunnyside-Central Terrace National Register Historic District. The site is relatively shallow which would need to be taken into account in regard to any redevelopment of the property.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Haled Street	Local Street	293'	NA	NA
Glendale Street	Local Street	94'	NA	NA
Proposed Access Point(s)	Since this is a special use limited request with no site plan, the exact location of access points is unknown. The site does have frontage on two public roads.			
Trip Generation - Existing/Proposed	Because this is a special use limited request with no site plan, staff is unable to provide a trip generation analysis.			
Sidewalks	Sidewalks are located along Waughtown Street to the northeast of the site.			
Transit	Route 29 runs along Sprague Street 750' to the south.			
Analysis of Site Access and Transportation Information	Currently, the parking for the site is somewhat limited and vehicles back directly out into Haled Street. Staff does not anticipate any negative transportation impacts from this request.			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	Growth Management Area 2 - Urban Neighborhoods			
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • Encourage reuse of vacant and underutilized commercial and industrial sites. • A pedestrian-friendly orientation for new development and redevelopment and reducing the visual dominance of parking areas. 			
Relevant Area Plan(s)	<i>South Central Winston-Salem Area Plan (2003)</i>			
Area Plan Recommendations	<ul style="list-style-type: none"> • The <i>South Central Winston-Salem Area Plan</i> recommends the subject property for industrial land use. 			
Addressing	There are no addressing or street naming concerns.			

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?
	Yes, Goodwill Industries has recently rezoned approximately five acres directly north of the site to GB and is in the process of constructing new buildings on the property.
	(R)(4) - Is the requested action in conformance with Legacy?
	Yes

Analysis of Conformity to Plans and Planning Issues	<p>The subject request is to rezone the developed site from LI to GB-L. The site is located in an area which has seen similar rezonings to the GB district in recent years.</p> <p>The <i>South Central Winston-Salem Area Plan</i> recommends industrial use for the subject property. This recommendation was based on the present industrial zoning of all the properties in this area which are located south of Haled Street. The property directly north of the site, across Haled Street, is recommended for redevelopment with a mixture of commercial, multifamily, and/or institutional (i.e. University of North Carolina School of the Arts) uses. This property was rezoned to GB in 2012.</p> <p>The proposed GB-L district would allow for a much wider array of uses which would provide greater developmental flexibility on the site. Also, the reduced parking requirements and building setbacks of the proposed GB district, are more conducive for development on the subject property which has a limited depth. Staff supports the subject request.</p>
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RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3167	HB & LI to GB	Approved 3-4-13	Directly north	1.3	Approval	Approval
W-3136	HB & LI to GB	Approved 5-7-12	Directly northwest	3.62	Approval	Approval

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
<p>The proposed GB district has more flexible parking and building setback requirements which are conducive to development on small or shallow depth lots.</p> <p>The request may facilitate the reuse and/or redevelopment of the site.</p> <p>The request is generally consistent with the development pattern of the surrounding area.</p> <p>The request is consistent with the purpose statement of the proposed GB district.</p>	<p>The site has a relatively limited depth.</p>

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-3203
OCTOBER 10, 2013**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning petition.

SECOND: Lynne Mitchell

VOTE:

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

AGAINST: None

EXCUSED: None

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