June 25, 2014

Forsyth County
c/o Dudley Watts, County Manager
201 N. Chestnut Street
Winston-Salem, NC  27101

Re:  Zoning Petition W-3224

Dear Mr. Watts:

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
Doug Stimmel, 601 N. Trade Street, Winston-Salem, NC  27101
**ACTION REQUEST FORM**

**DATE:** June 25, 2014  
**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 County

**SUMMARY OF INFORMATION:**
Zoning petition of Forsyth County from IP to CB: property is located on the southeast corner of Fifth Street and Spring Street (Zoning Docket W-3224).

**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 Forsyth County, Docket W-3224

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 IP to CB the zoning classification of the following described property:

PIN #6835-07-0104

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-3224</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Glenn Simmons</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Forsyth County</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN# 6835-07-0104</td>
</tr>
<tr>
<td>Address</td>
<td>201 N. Chestnut Street</td>
</tr>
<tr>
<td></td>
<td>Winston-Salem, NC 27101</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General use rezoning</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property <strong>from</strong>: IP (Institutional Public – General Use Zoning) <strong>to</strong>: CB (Central Business – General Use zoning).</td>
</tr>
<tr>
<td></td>
<td><strong>NOTE:</strong> General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.</td>
</tr>
</tbody>
</table>

### Neighborhood Contact/Meeting
As of this writing the petitioner was in the process of coordinating outreach efforts for this request.

### Zoning District Purpose Statement
The CB District is intended for application in GMA I. The district is established to encourage high density, compact urban development. The district is intended to accommodate a wide range of uses, including office, retail, service, and institutional developments in a pedestrian-oriented setting. The district also accommodates high density residential development. These uses may be mixed on the same tract or within the same structure.

### 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 within GMA I (City/Town Centers) and can accommodate a variety of uses.

## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Southeast corner of Fifth Street and N. Spring Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Northwest</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 1.54 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site contains the Forsyth County Central Library which will be renovated and/or redeveloped for the same use.</td>
</tr>
<tr>
<td>Surrounding Property Zoning and Use</td>
<td>North and Northeast</td>
</tr>
<tr>
<td>Zoning District</td>
<td>PB</td>
</tr>
<tr>
<td>Use</td>
<td>Restaurant (Bibs), Centenary United Methodist Church outreach facility and surface parking</td>
</tr>
<tr>
<td>Northwest</td>
<td>HB</td>
</tr>
<tr>
<td>---------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>West</td>
<td>PB-S</td>
</tr>
<tr>
<td>Southwest</td>
<td>PB</td>
</tr>
<tr>
<td>South and Southeast</td>
<td>CB</td>
</tr>
<tr>
<td>East</td>
<td>IP</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 proposed CB district allows seventy-five (75) different land uses. The proposed CB zoning district is contiguous to other CB zoning to the south and southeast of the subject site and staff believes that the proposed uses would be compatible other uses in the surrounding area.

**Physical Characteristics**

The site is the current location of the Forsyth County Central Library which will be renovated and/or redeveloped for the same. The site is located in the western edge of the downtown area and is contiguous to other developed and undeveloped CB zoned property to the south and southeast. The topography is favorable and there are no streams, wetlands, or other significant physical constraints located on the site.

**Proximity to Water and Sewer**

The site has access to public water and sewer.

**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 Central Library is a solid example of Winston-Salem’s modernist non-residential historic resources. Noted local architect Luther Lashmit designed the original building, which opened in 1953. Constructed on a lot formerly occupied by the R.J. Reynolds family home, it is a one-story (with basement), flat roofed building. Lashmit chose stone for the library’s exterior, thereby using a traditional material in a contemporary application. The library’s original section features a projecting central entrance bay that encompasses a two-story foyer with a double-leaf, plate-glass entrance surrounded by plate-glass windows and marble trim. A later three-story addition designed by Winston-Salem architect Aubrey Kirby was completed in 1980 and does not contribute to the original structure/site. The Central Library is the earliest modernist-style governmental building in Winston-Salem and is significant to the community’s architectural history.
The subject property is fully developed and is the current location of the Forsyth County Central Library. The existing library is slated to be comprehensively redeveloped on the same site in accordance with funding recently allocated by the County Commissioners. The property is situated to accommodate a variety of urban uses recognizing other existing urban uses present on surrounding properties.

<table>
<thead>
<tr>
<th>Comparison of UDO Development Standards between IP and CB</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>IP</strong></td>
</tr>
<tr>
<td>Minimum Front Setback</td>
</tr>
<tr>
<td>Minimum Rear Setback</td>
</tr>
<tr>
<td>Interior Side Setback</td>
</tr>
<tr>
<td>Minimum Street Setback</td>
</tr>
<tr>
<td>Maximum Impervious Surface Cover</td>
</tr>
<tr>
<td>Maximum Height</td>
</tr>
<tr>
<td>On-site Parking Required</td>
</tr>
</tbody>
</table>

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>W. Fifth Street</td>
<td>Minor Thoroughfare</td>
<td>300'</td>
<td>4,500</td>
<td>13,800</td>
</tr>
<tr>
<td>N. Spring Street</td>
<td>Collector</td>
<td>218'</td>
<td>1,600</td>
<td>NA</td>
</tr>
<tr>
<td>4 ½ Street</td>
<td>Local Street</td>
<td>300'</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**: The subject property has public street frontage on W. Fifth Street, N. Spring Street, and 4 1/2 Street.

**Planned Road Improvements**: The *Comprehensive Transportation Plan (2012)*: 2035 recommendations call for 3-B cross section which includes one travel lane in each direction, a center turn lane, bicycle lanes in each direction, and sidewalks on both sides. A minimum 80 foot right-of-way is recommended.

**Trip Generation - Existing/Proposed**: Staff cannot determine the trip generation for a general use request.

**Sidewalks**: Sidewalks are located along W. Fifth and Spring Street frontages.

**Transit**: Routes 16, 18, and 21 run along W. Fifth Street.

**Traffic Impact Study (TIS)**: Not required.

**Analysis of Site Access and Transportation Information**: The subject property has 300' of road frontage on Fifth Street, 218 feet of frontage on N. Spring Street and 300 feet of frontage on 4 ½ Street. The site is located in an area with a lot of pedestrian activity with two restaurants opposite the site on Spring and W. Fifth Streets. The current downtown library appears to have adequate access to public streets, transit, and pedestrian connections in an urban, downtown setting.
### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>GMA 1 (City/Town Centers)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Relevant Legacy Recommendations</strong></td>
<td></td>
</tr>
<tr>
<td>• Downtown Library: Design the Downtown Library as an iconic symbol of the community and serve as a public gathering space (page 159)</td>
<td></td>
</tr>
<tr>
<td>• Compatible Development: Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area (page 141)</td>
<td></td>
</tr>
<tr>
<td>• Revitalization: Encourage the revitalization of institutional and commercial uses that are integral parts of neighborhoods (page 175)</td>
<td></td>
</tr>
<tr>
<td><strong>Relevant Area Plan(s)</strong></td>
<td><em>Downtown Plan</em> (2013)</td>
</tr>
<tr>
<td><strong>Area Plan Recommendations</strong></td>
<td></td>
</tr>
<tr>
<td>The current <em>Downtown Plan</em> (2013) identifies the subject site as located within the “West Side Mixed-Use District” which calls for “a unique identity through new development and potential rezoneing considerations.” It also calls for the revitalization of institutional and commercial uses that are integral parts of neighborhoods.</td>
<td></td>
</tr>
<tr>
<td><strong>Site Located Along Growth Corridor?</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Site Located within Activity Center</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Addressing</strong></td>
<td></td>
</tr>
<tr>
<td>The current address assignment for the Central Library building, 660 W Fifth St, is appropriate for the current location of the main entrance. If the entrance is relocated as part of the renovation process the address assignment is subject to change.</td>
<td></td>
</tr>
<tr>
<td><strong>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</strong></td>
<td><em>(R)(3) - Have changing conditions substantially affected the area in the petition?</em>&lt;br&gt;<strong>No</strong>&lt;br&gt;<strong>(R)(4) - Is the requested action in conformance with Legacy?</strong>&lt;br&gt;<strong>Yes</strong></td>
</tr>
<tr>
<td><strong>Analysis of Conformity to Plans and Planning Issues</strong></td>
<td></td>
</tr>
<tr>
<td>The site is located within the “West Side Mixed-Use District” of the recently adopted <em>Downtown Plan</em> (2013). This is a transitional area between more intense CB zoned properties to the east and south, and lesser intense PB zoned properties to the north and west. The CB zoning district also supports the recommended variety and mixture of commercial, residential and institutional uses called for in the <em>Downtown Plan</em>.</td>
<td></td>
</tr>
<tr>
<td>The subject property is the current location of the Forsyth County Central Library and is owned by the County. The Board of County Commissioners has authorized renovation and/or redevelopment of the Central Library on the present 1.54 acre site and has selected an architect</td>
<td></td>
</tr>
</tbody>
</table>
to proceed with the building design and associated site development plans. The West Side Mixed Use District as identified in the Downtown Plan (2013) states that the district is ideal for mixed-use investment. One of the implementation goals for this district is to begin attaining a unique identity, as well as new development and potential rezoning considerations.

The subject property is contiguous to other CB zoned properties located immediately south and southeast. While the CB zoning district does not require any off-street parking, it’s significant that both private and public parking is located in close walking proximity to the property. In addition to surface parking lots, two public parking decks with adequate public parking capacity are located approximately 400 feet south and southeast of the site. Centenary United Methodist Church (zoned IP) is located immediately east of the subject site and has a history of collaborating with the library for shared parking needs.

The proposed CB zoning has no minimum dimensional or setback requirements and in this regard, is more accommodating to the urban form advocated in the downtown area than the current IP zoning.

While the historical significance of the current library may be a factor to consider in the design of the new library, it’s important to note that the current IP zoning provides no more protections for the identified historic resources than does the proposed CB zoning.

Staff believes that this CB zoning request is appropriate for the subject property, however, staff does not believe that further expansion of CB zoning west of Spring Street or north of W. Fifth Street would be appropriate at this time given the transitional nature of the area at the western edge of downtown central business district.

<table>
<thead>
<tr>
<th>RELEVANT ZONING HISTORIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case</td>
</tr>
<tr>
<td>W-3103</td>
</tr>
<tr>
<td>W-2918</td>
</tr>
</tbody>
</table>

UDO Sections Relevant to Subject Request
- Section 2-1.3(K) CB District

Complies with Chapter B, Article VII, Section 7-5.3
- (A) Legacy policies: Yes
- (B) Environmental Ord. NA
- (C) Subdivision Regulations NA
<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>CB allows for a greater mixture of uses as recommended in the <em>Downtown Plan</em>.</td>
<td>CB would allow greater impervious coverage on the site than the current IP.</td>
</tr>
<tr>
<td>The request is consistent with the CB purpose statement.</td>
<td></td>
</tr>
<tr>
<td>Adequate parking is available within short walking distance. Two public parking decks are</td>
<td></td>
</tr>
<tr>
<td>located within 400 feet of the site.</td>
<td></td>
</tr>
<tr>
<td>CB allows for greater setback and design flexibility in accordance with <em>Downtown Plan</em></td>
<td></td>
</tr>
<tr>
<td>recommendations.</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:  Unanimous
  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
Animal Shelter, Public
Cemetery
Child Care, Drop-In
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
College or University
Funeral Home
Golf Course
Government Offices, Neighborhood Organization, or Post Office
Hospice and Palliative Care
Library, Public
Museum or Art Gallery
Nursing Care Institution
Park and Shuttle Lot
Police or Fire Station
Recreation Facility, Public
Recreation Services, Indoor
Recreation Services, Outdoor
Residential Building, Single Family
Swimming Pool, Private
Transmission Tower (see UDO)
Utilities

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care Institution
Child Care, Sick Children
Child Day Care Center
Child Day Care, Large Home
Church or Religious Institution, Community
Club or Lodge
Family Group Home B
Family Group Home C
Habilitation Facility A
Habilitation Facility B
Planned Residential Development
School, Private
School, Public
School, Vocational or Professional
USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Helistop
Landfill, Land Clearing/Inert Debris
Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
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
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
Food or Drug Store
Fraternity or Sorority
Furniture and Home Furnishings Store
Government Offices, Neighborhood Organization, or Post Office
Hospital or Health Center
Hotel or Motel
Institutional Vocational Training Facility
Library, Public
Motor Vehicle, Repair and Maintenance
Motorcycle Dealer
Museum or Art Gallery
Nursery, Lawn and Garden Supply Store, Retail
Nursing Care Institution
Offices
Park and Shuttle Lot
Parking, Commercial
Police or Fire Station
Recreation Facility, Public
Recreation Services, Indoor
Recreation Services, Outdoor
Residential Building, Multifamily
Residential Building, Single Family
Restaurant (without drive-through service)
Retail Store
School, Vocational or Professional
PROPOSED CB USES ALLOWED

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
Utilities
Wholesale Trade A

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care, Sick Children
Child Day Care Center
Family Group Home B
Family Group Home C
Group Care Facility A
Habilitation Facility C
Life Care Community
Residential Building, Townhouse
School, Private
School, Public

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Child Care Institution
Helistop
Motor Vehicle, Rental and Leasing
Postal Processing Facility

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