DOCKET #: W3061

PROPOSED ZONING: HB

EXISTING ZONING: LO and HB

PETITIONER: J.M. Long Construction Co. for property owned by Same

SCALE: 1" represents 200'

STAFF: Moore

GMA: 3

ACRES: 0.1

NEAREST BLDG: 30' northeast

MAP(S): 624874
April 21, 2010

J.M. Long Construction Co. Inc.
c/o Julia Song, Vice-President
P. O. Box 5586
Winston-Salem, NC  27113

RE:    ZONING MAP AMENDMENT W-3061

Dear Ms. Song:

    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

pc:     City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
**ACTION REQUEST FORM**

<table>
<thead>
<tr>
<th>DATE:</th>
<th>April 21, 2010</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</td>
</tr>
</tbody>
</table>

**COUNCIL ACTION REQUEST:**


**SUMMARY OF INFORMATION:**

Zoning Petition of J.M. Long Construction Co. Inc. from LO & HB to HB: property is located on the north side of Brownsboro Road, west of Cherry Street; (Zoning Docket W-3061).

**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>
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 LO & HB to HB the zoning classification of the following described property:

PIN #6827-54-8270

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-3061</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>David Moore GISP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>J.M. Long Construction Co.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN # 6827-54-8270</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General use rezoning</td>
</tr>
</tbody>
</table>

### Proposal

The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB, (Highway Business District) and LO, (Limited Office District) to HB, (Highway Business District).

**NOTE:** Both 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.

### Zoning District Purpose Statement

The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. This district is intended for application in Growth Management Areas 2, 3, and 4.

### 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 subject property is located in GMA 3 on a collector street.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>North side of Brownsboro Road, west of Cherry Street.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>North Ward</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 0.1 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Vacant Lot</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>HB</td>
<td>Vacant</td>
</tr>
<tr>
<td>East</td>
<td>HB</td>
<td>North Point Florist, Inc.</td>
</tr>
<tr>
<td>South</td>
<td>RM-18</td>
<td>Multifamily Development</td>
</tr>
<tr>
<td>West</td>
<td>LO</td>
<td>Vacant</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?**

Yes, the HB district would be compatible with the existing development pattern in the area.
Physical Characteristics

The topography of the site is relatively flat, with a drainage ditch in front.

Proximity to Water and Sewer

The site has access to public water and sanitary sewer.

Stormwater/Drainage

No known issues.

Watershed and Overlay Districts

The subject property is not located within a regulated water supply watershed.

Analysis of General Site Information

It appears the site has no development constraints, and is suitable for development within the proposed HB district.

### 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>Brownsboro Road</td>
<td>Collector Street</td>
<td>111'</td>
<td>1,300</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

Since this is a general use request, the exact location of access points is unknown. However, the site does have public road frontage.

**Trip Generation - Existing/Proposed**

No trip generation is available for general use zoning.

**Sidewalks**

None existing

**Transit**

Site is on WSTA route 4.

**Traffic Impact Study (TIS)**

Not required

**Analysis of Site Access and Transportation Information**

Staff does not anticipate any negative transportation impacts from this request.

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**

Growth Management Area 3, (Suburban Neighborhoods)

**Relevant Legacy Recommendations**

Permit services near where people live in a manner that is compatible with surrounding uses, and provide retail and service uses within walking and bicycling distance of neighborhoods.

**Relevant Area Plan(s)**

*North Suburban Area Plan, 2005*

**Area Plan Recommendations**

*Commercial:* Because of its population and its location along US 52 and University Parkway, the North Suburban Planning Area is a prime retail destination in Forsyth County. Both local residents and individuals traveling through the area purchase a variety of goods and services in the area’s commercial establishments. The *North Suburban Area Plan* seeks to create commercial opportunities while simultaneously concentrating such development in areas that do not negatively affect nearby neighborhoods.
(R)(3) - Have changing conditions substantially affected the area in the petition?
No

(R)(4) - Is the requested action in conformance with Legacy?
Yes

Analysis of Conformity to Plans and Planning Issues
Staff believes that the rezoning request is compatible with the North Suburban Area Plan and is appropriate at this location. Approval of this request would provide uniform HB zoning for the subject property, which combined with the adjacent parcel to the north, would create a more usable HB zoning lot.

### 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-2886</td>
<td>GB to LI</td>
<td>Approved 10-2-06</td>
<td>1,400’ northwest</td>
<td>1.48</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2460</td>
<td>LI to HB</td>
<td>Approved 5-7-95</td>
<td>1,400’ northeast</td>
<td>3.49</td>
<td>Approval</td>
</tr>
</tbody>
</table>

Complies with Chapter B, Article VII, Section 7-5.3

| | (A) Legacy policies: | Yes |
| | (B) Environmental Ord. | NA |
| | (C) Subdivision Regulations | NA |

### 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>Request is consistent with Legacy.</td>
<td>The site is currently partially zoned HB and surrounded by intense zoning districts.</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: Paul Mullican moved approval of the zoning map amendment.
SECOND: Wesley Curtis
VOTE:
    FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican
    AGAINST: None
    EXCUSED: None

A. Paul Norby, FAICP
Director of Planning