DOCKET #: W3145

PROPOSED ZONING:
GB-L

EXISTING ZONING:
LI

PETITIONER:
NMR Textile, LLC
for property owned by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 1

ACRES: 1.71

NEAREST BLDG: 20' north

MAP(S): 630858
July 25, 2012

NMR Textile, LLC
c/o Judy Siegel
801 International Drive Unit 110
Linthicum Heights, Maryland  21090

Re: Zoning Map Amendment W-3145

Dear Ms. Siegel:

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,

[Signature]

A. Paul Norby, FAICP
Director of Planning

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:** July 25, 2012  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

## COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of NMR Textile, LLC

## SUMMARY OF INFORMATION:

Zoning map amendment of NMR Textile, LLC from LI to GB-L [Residential Building, Townhouse; Residential Building, Multifamily; Boarding or Rooming House; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store; Shopping Center; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Car Wash; Funeral Home; Hotel or Motel; Offices; Services A; Services B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Dirt Storage; Government Offices, Neighborhood Organization or Post Office; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Landfill, Land Clearing/Inert Debris; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; Shelter for Homeless; Stadium, Coliseum, or Exhibition Building; Borrow Site; Access Easement, Private Off-Site; Helistop; Park and Shuttle Lot; Parking Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities]: property is located on the north side of Seventh Street between Main Street and Chestnut Street (Zoning Docket W-3145).

## 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 NMR Textile, LLC, Docket W-3145

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
Residential Building, Townhouse; Residential Building, Multifamily; Boarding or Rooming House;
Combined Use: Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care
Community; Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and
Home Furnishings Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail;
Restaurant (without drive-through service); Retail Store; Shopping Center; Banking and
Financial Services; Bed and Breakfast; Building Contractors, General; Car Wash; Funeral Home;
Hotel or Motel; Offices; Services A; Services B; Storage Services, Retail; Testing and Research
Lab; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation
Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research
Facility; Academic Medical Center; Adult Day Care Center; Child Care, Drop-In; Child Care
Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution,
Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or
University; Dirt Storage; Government Offices, Neighborhood Organization or Post Office;
Group Care Facility A; Group Care Facility B; Habilitation Facility C; Hospital or Health
Center; Institutional Vocational Training Facility; Landfill, Land Clearing/Inert Debris; Library,
Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private;
School, Public; School, Vocational or Professional; Shelter for Homeless; Stadium, Coliseum, or
Exhibition Building; Borrow Site; Access Easement, Private Off-Site; Helistop; Park and Shuttle Lot; Parking Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities] the zoning classification of the following described property:

PIN #6835-28-7714

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 NMR Textile, 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 NMR Textile, 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 NMR Textile, LLC, (Zoning Docket W-3145). The site shall be developed in accordance with the conditions approved by the Board and the following uses:

Residential Building, Townhouse; Residential Building, Multifamily; Boarding or Rooming House; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store; Shopping Center; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Car Wash; Funeral Home; Hotel or Motel; Services A; Services B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Dirt Storage; Government Offices, Neighborhood Organization or Post Office; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Landfill, Land Clearing/Inert Debris; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; Shelter for Homeless; Stadium, Coliseum, or Exhibition Building; Borrow Site; Access Easement, Private Off-Site; Helistop; Park and Shuttle
Lot: Parking Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities, 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. There are no additional conditions.
### CITY-COUNTY PLANNING BOARD
### STAFF REPORT

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3145</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>NMR Textile, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN # 6835-28-7714</td>
</tr>
<tr>
<td>Address</td>
<td>107 Seventh Street</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Limited rezoning</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial District) to GB-L (General Business – Special Use Limited Zoning). The petitioner is requesting the following uses: - Residential Building, Townhouse; Residential Building, Multifamily; Boarding or Rooming House; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store; Shopping Center; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Car Wash; Funeral Home; Hotel or Motel; Offices; Services A; Services B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Dirt Storage; Government Offices, Neighborhood Organization or Post Office; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Landfill, Land Clearing/Inert Debris; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; Shelter for Homeless; Stadium, Coliseum, or Exhibition Building; Borrow Site; Access Easement, Private Off-Site; Helistop; Park and Shuttle Lot; Parking Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities</td>
</tr>
</tbody>
</table>

**NOTE:** General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.
<table>
<thead>
<tr>
<th>Neighborhood Contact/Meeting</th>
<th>The application indicates that at the time of filing, no neighborhood/community meeting had been held.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District Purpose Statement</td>
<td>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 (Center Cities), 2 (Urban Neighborhoods), 3 (Suburban Neighborhoods) and Metro Activity Centers.</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)? Yes, the site is located in the Center City and is adjacent to other GB zoned property.</td>
</tr>
</tbody>
</table>

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>North side of Seventh Street between Main Street and Chestnut Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>East</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 1.71 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Currently located on the site is a 35,477sf building built in 1947. It was previously occupied by Tarheel Textile Sales Company.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>North</td>
<td>GB</td>
<td>Various commercial uses</td>
</tr>
<tr>
<td></td>
<td>East</td>
<td>PB-S</td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>PB-S &amp; PB</td>
<td>Residential uses and surface parking</td>
</tr>
<tr>
<td></td>
<td>West</td>
<td>PB WO</td>
<td>Residential and commercial</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 mixture of uses allowed are compatible with the mixture of uses permitted in the surrounding area. |

<table>
<thead>
<tr>
<th>Physical Characteristics</th>
<th>The site is already developed with a commercial building and associated parking areas. The topography slopes down gently from north to south.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proximity to Water and Sewer</td>
<td>The site is served by public water and sewer.</td>
</tr>
<tr>
<td>Stormwater/Drainage</td>
<td>No stormwater study will be required.</td>
</tr>
<tr>
<td>Watershed and Overlay Districts</td>
<td>The site is not located within a water supply watershed.</td>
</tr>
</tbody>
</table>
The site has no apparent constraints and appears to be suitable for development within the proposed GB-L District.

<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>Seventh Street</td>
<td>Minor Thoroughfare</td>
<td>309'</td>
<td>1,500</td>
<td>16,100</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

Because this is a Special Use Limited rezoning request with no site plan or access conditions, the exact location of access points is unknown. The site currently has two full access points onto Seventh Street.

**Trip Generation - Existing/Proposed**

No trip generation numbers available for Special Use Limited zoning. However, staff would anticipate the possibility of an increase in traffic from this request as a result of the additional commercial uses.

**Sidewalks**

Sidewalks exist along the frontage of the site.

**Transit**

Route 10 runs along Main Street located 300' to the west.

<table>
<thead>
<tr>
<th>Analysis of Site Access and Transportation Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff does not anticipate any negative impacts from the additional uses included in this request. The GB district includes a 30% parking reduction which is not available in the LI district. Said parking reduction may provide some additional development flexibility to the site.</td>
</tr>
</tbody>
</table>

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**

GMA 1 (Center City)

**Relevant Legacy Recommendations**

- Encourage redevelopment and reuse of existing sites and buildings which are visually compatible with the surrounding area.
- *Legacy* recommends managing growth by making more efficient use of land that has already been developed, encouraging reuse and infill and capitalizing on other development opportunities.

**Relevant Area Plan(s)**

*Downtown Plan (2007)*

**Area Plan Recommendations**

- The subject property is located in the Goler Heights Mixed-Use District.
- Make downtown a destination by creating a core area of vibrant, intense mixed uses in a very pedestrian-friendly environment. Emphasize major employment center, restaurants, supportive and festive retail, entertainment, arts and downtown residential uses.

**Other Applicable Plans and Planning Issues**

Comments from the Inspections Department: Developer will need to obtain the proper building and land use permits prior to establishing/changing their use.

**Addressing**

There are no address number 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?

No

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

Yes
The subject request is to rezone 1.71 acres of LI zoned property to GB-L. The site was the previous location of Tarheel Textile Sales Company. The petitioner is requesting only uses that are also permitted within the PB district and has agreed to remove Correctional Institution; Motor Vehicle, Repair and Maintenance; and Motor Vehicle, Rental and Leasing.

Considering the location of the site within the Center City GMA along with the surrounding zoning and development pattern, PB would be the most consistent zoning district for this site. However, in light of the existing zoning being LI and the similarities between PB and the proposed GB-L district, staff is supportive of the request.

### 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>
<th>Staff</th>
<th>CCPB</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-3117</td>
<td>LI to PB</td>
<td>Approved 7-2-12</td>
<td>250’ northwest</td>
<td>.07</td>
<td>Approval</td>
<td>Approval</td>
<td></td>
</tr>
<tr>
<td>W-3123</td>
<td>LI to PB</td>
<td>Approved 3-5-12</td>
<td>Directly west</td>
<td>.25</td>
<td>Approval</td>
<td>Approval</td>
<td></td>
</tr>
</tbody>
</table>

**UDO Sections Relevant to Subject Request**
- Section 2-1.3(J) Chapter B, Article II, Section 2-1.3 (J) GB District

**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>The GB district provides more flexibility to the site than the existing LI district.</td>
<td>The request would permit some commercial uses which may lead to increased traffic.</td>
</tr>
<tr>
<td>The request is consistent with the GB purpose statement.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with Legacy and the Downtown Plan.</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.
CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3145
JULY 12, 2012

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe 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, Brenda Smith, Allan Younger
   AGAINST: None
   EXCUSED: None

A. Paul Norby, FAICP
Director of Planning
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Academic Biomedical Research Facility
Academic Medical Center
Animal Shelter, Public
Arts and Crafts Studio
Banking and Financial Services
Building Contractors, General
Building Contractors, Heavy
Building Materials Supply
Child Care, Drop-In
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
College or University
Fish Hatchery
Fuel Dealer
Government Offices, Neighborhood Organization, or Post Office
Hospital or Health Center
Kennel, Indoor
 Manufacturing A
 Manufacturing B
Motor Vehicle, Body or Paint Shop
Motor Vehicle, Rental and Leasing
Motor Vehicle, Repair and Maintenance
Motor Vehicle, Storage Yard
Offices
Park and Shuttle Lot
Parking, Commercial
Police or Fire Station
Postal Processing Facility
Recreation Facility, Public
Recreation Services, Indoor
Recycling Center
School, Vocational or Professional
Services A
Services B
Signs, Off-Premises
Storage Services, Retail
Terminal, Bus or Taxi
Testing and Research Lab
Utilities

Uses Allowed in LI

Revised 3/17/2011
EXISTING LI DISTRICT USES ALLOWED
City of Winston-Salem Jurisdiction Only

Warehousing
Wholesale Trade A
Wholesale Trade B

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care, Sick Children
Child Day Care Center
Landfill, Construction and Demolition
Landfill, Land Clearing/Inert Debris
Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Borrow Site
Dirt Storage
Helistop
Solid Waste Transfer Station

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Shelter for Homeless
The proposed special use zoning map amendment from LI (Limited Industrial District) to GB-L (General Business-Special Use Limited Zoning) with its added conditions is consistent with the Legacy Comprehensive Plan, and the Downtown Area Plan and is reasonable and in the public interest because:

1. The GB District provides more flexibility to the site than the existing LI;

2. The site has no apparent constraints and appears to be suitable for development within the proposed GB District; and

3. The request is consistent with the proposed GB District purpose statement.
DENIAL
STATEMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
W-3145
(NMR TEXTILE, LLC)

Although the proposed special use zoning map amendment from LI (Limited Industrial District) to GB-L (General Business-Special Use Limited Zoning) is consistent with the general recommendations of the Legacy Comprehensive Plan, and the Downtown Area Plan, approval of the request is not reasonable and in the public interest because the request would permit some commercial uses which may lead to increased traffic.