DOCKET #: W3096

PROPOSED ZONING:
HB-L

EXISTING ZONING:
HB-S

PETITIONER:
Curtis Wood
for property owned by
Clarence R. Lambe, Jr.
and Katherine W. Lambe

SCALE: 1" represents 300'

STAFF: Roberts

GMA: 3

ACRES: 2.75

NEAREST
BLDG: 1' east

MAP(S): 618878, 618874
March 23, 2011

Curtis Wood
P. O. Box 17626
Winston-Salem, NC 27116

RE: ZONING MAP AMENDMENT W-3096

Dear Mr. Wood:

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
Clarence R. Lambe, Jr. and Katherine W. Lambe, P. O. Box 1785, Kernersville, NC 27285
**ACTION REQUEST FORM**

**DATE:** March 23, 2011  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

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**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of Curtis Wood for property owned by Clarence R. Lambe, Jr. and Katherine W. Lambe

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**SUMMARY OF INFORMATION:**

Zoning map amendment of Curtis Wood for property owned by Clarence R. Lambe, Jr. and Katherine W. Lambe from HB-S (Offices; Warehousing; Wholesale Trade A; Wholesale Trade B; and Storage Services, Retail) to HB-L (Offices; and School, Vocational or Professional): property is located on the north side of Indiana Avenue between University Parkway and Home Road (Zoning Docket W-3096).

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**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**EXCUSED:** CLARENCE LAMBE  
**SITE PLAN ACTION:** NOT REQUIRED
CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of Curtis Wood for property owned by
Clarence R. Lambe, Jr. and Katherine W. Lambe, Docket W-3096

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 HB-S (Offices;
Warehousing; Wholesale Trade A; Wholesale Trade B; and Storage Services, Retail) to HB-L
(Offices; and School, Vocational or Professional) the zoning classification of the following
described property:

PIN #6827-28-7163

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 Curtis
Wood for property owned by Clarence R. Lambe, Jr. and Katherine W. Lambe.

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 Curtis Wood. 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 Curtis Wood for property owned by Clarence R. Lambe, Jr. and Katherine W. Lambe, (Zoning Docket W-3096). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Offices; and School, Vocational or Professional, approved by the Winston-Salem City Council the _____ day of ________________________, 20___ and signed, provided the property is developed in accordance with requirements of the HB-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

## PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3096</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Curtis Wood</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Clarence R. Lambe, Jr. and Katherine W. Lambe</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN # 6827-28-7163</td>
</tr>
<tr>
<td>Address</td>
<td>4964 University Parkway</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Limited rezoning from HB-S TWO PHASE to HB-L</td>
</tr>
</tbody>
</table>
| Proposal  | The petitioner is requesting to amend the Official Zoning Maps for the subject property **from** HB-S Highway Business District (Offices; Warehousing; Wholesale Trade A; Wholesale Trade B; and Storage Services, Retail) TWO PHASE **to** HB-L (Highway Business-Special Use Limited District). The petitioner is requesting the following uses:  
- Offices and School, Vocational or Professional  

**NOTE:** General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. |

## Neighborhood Contact/Meeting

| Contact/Meeting | As per an email received from the petitioner: “I have visited and spoken with representatives from the following businesses to our left and right (the business behind us is apparently a storage warehouse with no office or phone number available): (1) Golden Corral Restaurant, Peter Breath, Manager; and (2) Amerizon Wireless, Wanda Cayton, Exec. Sec. Both parties were aware of our move to 4964 University Parkway and stated that they have no objection to the re-zoning.” |

## Zoning District Purpose Statement

| 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. However, the district is not intended to encourage or accommodate strip commercial development. Developments in this district generally have substantial front setbacks. This district is intended for application in Growth Management Areas 2 (Urban Neighborhoods), 3 (Suburban Neighborhoods), and 4 (Future Growth Area). |

## Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

| 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 3 and is currently zoned HB-S. |
### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>North side of Indiana Avenue between University Parkway and Home Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>North</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 2.75 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>A ±40,000 square foot office building is currently located on the site.</td>
</tr>
</tbody>
</table>

#### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>HB</td>
<td>Restaurant</td>
</tr>
<tr>
<td>East</td>
<td>HB</td>
<td>Warehousing</td>
</tr>
<tr>
<td>South</td>
<td>LI &amp; HB</td>
<td>Business and transmission Tower</td>
</tr>
<tr>
<td>West</td>
<td>LO</td>
<td>University Parkway and undeveloped property</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 proposed uses are compatible with the permitted uses in the adjacent LI, HB and LO Districts.

#### Physical Characteristics

The developed site is essentially flat; however, there is steep slope downward to the north along the Indiana Avenue frontage of the site.

#### Proximity to Water and Sewer

Public water and sewer are available.

#### Stormwater/Drainage

No known issues.

#### Watershed and Overlay Districts

The site is not within a water supply watershed.

#### Analysis of General Site Information

The site has no apparent constraints and appears to be suitable for development within the proposed HB-L 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>Indiana Avenue</td>
<td>Minor Thoroughfare</td>
<td>372'</td>
<td>2,400</td>
<td>16,700</td>
</tr>
<tr>
<td>University Parkway</td>
<td>Major Thoroughfare</td>
<td>350'</td>
<td>29,000</td>
<td>46,000</td>
</tr>
</tbody>
</table>

#### Proposed Access Point(s)

The site is currently accessed from University Parkway and Home Road through adjacent HB zoned properties to the north.

#### Planned Road Improvements

The Comprehensive Transportation Plan recommends a three lane cross-section with wide outside lanes, curb and gutter and sidewalks for Indiana Avenue. Sidewalks are recommended along University Parkway.
| **Trip Generation - Existing/Proposed** | **Existing Zoning: HB-S**  
40,000 sf / 1,000 x 11.01 (General Office Building Trip Rate) = 440 Trips per Day  
**Proposed Zoning: HB-L**  
No trip rate is available for the proposed zoning which has no site plan. |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sidewalks</strong></td>
<td>The Comprehensive Transportation Plan recommends sidewalks along University Parkway. However, no sidewalks are being recommended as no physical changes to the site are being proposed.</td>
</tr>
<tr>
<td><strong>Transit</strong></td>
<td>Route 44 along Indiana Avenue.</td>
</tr>
<tr>
<td><strong>Analysis of Site Access and Transportation Information</strong></td>
<td>Access to the subject property is through adjacent properties. Staff does not anticipate any negative transportation impacts from this request.</td>
</tr>
</tbody>
</table>

### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th><strong>Legacy GMA</strong></th>
<th>Growth Management Area 3 - Suburban Neighborhoods</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Relevant Legacy Recommendations</strong></td>
<td>• Creating a more “compact pattern of development” will necessitate increasing the overall density and intensity of residential and commercial development in areas with public sewer, good roads and other urban services. It will also mean concentrating higher density and mixed use urban development around certain activity centers and along major transportation corridors.</td>
</tr>
<tr>
<td><strong>Relevant Area Plan(s)</strong></td>
<td>North Suburban Area Plan, (NSAP) 2005</td>
</tr>
</tbody>
</table>
| **Area Plan Recommendations** | • The NSAP recommends Commercial use for the subject property.  
  • Commercial: The NSAP seeks to create commercial opportunities while simultaneously concentrating such development in areas that do not negatively affect nearby neighborhoods.  
  • Institutional: The presence of institutional uses in the North Suburban Planning Area is an important aspect of the character, vitality, and future of the area. Institutions are valued land uses and should be allowed to grow in a compatible manner. However, an appropriate balance between neighborhoods and institutional uses that often serve a much wider area than the adjacent neighborhood should be established. |
| **Addressing** | This building is using an incorrect address as the current address is an even number on the odd side of the street. In order to ensure proper notification, a correction will need to be made. The Address Coordinator will need a tenant list and diagram of the building illustrating the current suite number assignments. |
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

Analysis of Conformity to Plans and Planning Issues

The subject Special Use Limited request would remove the site plan associated with this developed site along with four of the approved uses. The use of Offices would be retained and the use of School, Vocational or Professional would be added. Because the site has been improved as per the site plan for many years, Planning staff is supportive of the Special Use Limited request which retains the underlying HB District and eliminates the more intense uses.

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-1055</td>
<td>R-4 &amp; B-3 to B3-S (HB-S)</td>
<td>Approved 10-3-83</td>
<td>Included current site</td>
<td>3.6</td>
<td>Approval</td>
</tr>
</tbody>
</table>

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 request is consistent with the NSAP.</td>
<td>There no longer will be a special use site plan attached to the site.</td>
</tr>
<tr>
<td>The underlying HB District will remain in place.</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-3096
MARCH 10, 2011

MOTION: Paul Mullican moved approval of the zoning map amendment.
SECOND: Wesley Curtis
VOTE:
   FOR: Wesley Curtis, Arnold King, Barry Lyons, Paul Mullican, Brenda Smith, Allan Younger
   AGAINST: None
   EXCUSED: Clarence Lambe

A. Paul Norby, FAICP
Director of Planning
The proposed special use zoning map amendment from HB-S TWO PHASE (Highway Business District) to HB-L (Highway Business-Special Use Limited District) with its added conditions is consistent with the Legacy Comprehensive Plan and the North Suburban Area Plan (NSAP, 2005) and is reasonable and in the public interest because:

1. The site has no apparent constraints and it appears suitable for development within the proposed HB-L District; and

2. The underlying HB District will remain in place.