DOBLET #: W3120

PROPOSED ZONING:
GB-L

EXISTING ZONING:
HB-S

PETITIONER:
Bank of North Carolina
for property owned by Same

SCALE:
1" represents 400'

STAFF:
Roberts

GMA:
2

ACRES:
1.52

NEAREST BLDG:
20' west

MAP(S):
648858
November 23, 2011

Bank of North Carolina
1551 West Brook Place Drive, Suite 90
Winston-Salem, NC  27103

Re:  Zoning Map Amendment W-3120

Dear Sirs:

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
     Todd Cassidy, 101 N. Chestnut Street, Suite 301, Winston-Salem, NC  27101
ACTION REQUEST FORM

DATE: November 23, 2011
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 Bank of North Carolina

SUMMARY OF INFORMATION:

Zoning map amendment of Bank of North Carolina from HB-S (Highway Business District; Retail Store; Outdoor Display, Retail; Motor Vehicle, Repair and Maintenance; Storage Service, Retail; Motor Vehicle, Rental and Leasing; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Storage Yard) to GB-L (Manufacturing A; Offices; and Retail Store) (Zoning Docket W-3120).

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 Bank of North Carolina, Docket W-3120

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 (Highway Business District; Retail Store; Outdoor Display, Retail; Motor Vehicle, Repair and Maintenance; Storage Service, Retail; Motor Vehicle, Rental and Leasing; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Storage Yard) to GB-L (Manufacturing A; Offices; and Retail Store) the zoning classification of the following described property:

PIN# 6846-80-1572

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 Bank of North Carolina.

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 Bank of North Carolina. 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.
The City Council of the City of Winston-Salem issues a Special Use Limited District Permit for the zoning petition of Bank of North Carolina, (Zoning Docket W-3120). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Manufacturing A; Offices; and Retail Store, 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

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3120</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Bank of North Carolina</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN # 6846-80-1572</td>
</tr>
<tr>
<td>Address</td>
<td>3825 Reidsville Road</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Limited rezoning from HB-S to GB-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; Retail Store; Outdoor Display, Retail; Motor Vehicle, Repair and Maintenance; Storage Service, Retail; Motor Vehicle, Rental and Leasing; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Storage Yard) to GB-L (General Business- Special Use Limited District). The petitioner is requesting the following uses:
- Manufacturing A; Offices; and Retail Store

**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:**
The application indicates that at the time of filing, no neighborhood/community meeting had been held.

**Zoning District Purpose Statement:**
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 GMA (Growth Management Areas) 2 (Urban Neighborhoods), 3 (Suburban Neighborhoods), and Metro Activity Centers.

**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 2, is currently zoned HB-S and fronts along a major thoroughfare.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Northwest side of Reidsville Road, north of US 421</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>± 1.52 acres</td>
</tr>
</tbody>
</table>
### Current Land Use
The site is currently developed with a one story, 11,515 sf commercial structure which was the former location of the Curly’s Harley Davidson dealership.

<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>North</td>
<td>RS9</td>
<td></td>
<td>Undeveloped property</td>
</tr>
<tr>
<td>East</td>
<td>LI</td>
<td>Tyco Electronics Corporation</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>LI</td>
<td>Tyco Electronics Corporation</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>RM12</td>
<td>Multifamily residential</td>
<td></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 approved and proposed uses are compatible with the uses permitted on the LI zoned site located across the street. The existing auto related uses are less compatible with the multifamily development located directly to the west. The petitioner has agreed to remove said auto related uses from the request.

### Physical Characteristics
The developed site has a gentle slope downward to the south.

### Proximity to Water and Sewer
Public water and sewer are available to the site.

### Stormwater/Drainage
No known issues.

### Watershed and Overlay Districts
The site is located in the Salem Lake Watershed, a WS-III regulated water supply watershed. The site is in the designated Reservoir Protection Area and is within ½ mile of the lake. New construction within this area is limited to either 12% impervious surface without a stormwater control pond or 30% under the “Stormwater Quality Management Option”. However, when the existing facility was constructed in 1995, the maximum impervious coverage was 30%. In 2006 a local engineer certified to the Inspections Division that the site was developed to the maximum of 30% and is therefore in compliance with the watershed requirements.

### Analysis of General Site Information
Located within the Salem Lake Watershed, the site is limited to its current build out of 30% maximum impervious coverage. Due to the relatively few number of parking spaces compared to the size of the building, the site is further limited in regard to which uses can operate on the site and still meet the minimum parking requirements.

### 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>Reidsville Road</td>
<td>Major Thoroughfare</td>
<td>627’</td>
<td>16,000</td>
<td>32,200</td>
</tr>
</tbody>
</table>

### Proposed Access Point(s)
Because this is a Special Use Limited request with no site plan or access conditions, the exact location of access points (other than the existing driveway onto Reidsville Road) is unknown.
**Trip Generation - Existing/Proposed**

<table>
<thead>
<tr>
<th>Existing Zoning: HB-S</th>
<th>Proposed Zoning: GB-L</th>
</tr>
</thead>
<tbody>
<tr>
<td>11,515 sf / 1,000 x 37.5 (New Car Sales Trip Rate) = 432 Trips per Day</td>
<td></td>
</tr>
<tr>
<td>No trip rate is available for the proposed zoning which has no site plan.</td>
<td></td>
</tr>
</tbody>
</table>

**Sidewalks**

There are no sidewalks located in the general area. The Comprehensive Transportation Plan recommends sidewalks along Reidsville Road.

**Transit**

Route 25 runs along Old Greensboro Road located approximately 900’ to the northwest.

**Analysis of Site Access and Transportation Information**

The site has good access and 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**

- Protect residential areas from inappropriate commercial and industrial encroachment.
- Encourage redevelopment and reuse of existing sites and buildings which are visually compatible with the surrounding area.
- Promote economic development which is compatible with existing residential neighborhoods and other business developments.

**Relevant Area Plan(s)**

*East/Northeast Area Plan (2008)*

**Area Plan Recommendations**

- There is no recommended land use change for this site.

**Other Applicable Plans and Planning Issues**

Comments from the Inspections Division: The approved use for the subject property is a Motorcycle Dealer. Any change of use will require building and zoning permits, including but not limited to, site plans, floor plans and building code summaries, prior to beginning work and/or occupying the structure under the new 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?**

No

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

Yes

**Analysis of Conformity to Plans and Planning Issues**

The request is to rezone the subject property from HB-S to GB-L in order to allow for the use of Manufacturing A to be added as a permitted use. Manufacturing A is not allowed in the HB District. The petitioner is also seeking to add the use of Offices and retain the use of Retail Store.

The building has been vacant for several years. The site was developed to the maximum impervious surface coverage allowed in the Salem Lake Watershed. Therefore, no expansion of parking area or building footprint is permitted.

The *East/Northeast Area Plan* (adopted in 2008) identifies the subject...
property as being used for commercial purposes and does not recommend any change. The proposed GB District is slightly more intense than the existing HB District; however, the activities associated with the proposed use of Manufacturing A must occur completely within an enclosed building. In addition, the petitioner has agreed to remove the approved auto related uses which could pose some compatibility concerns with the adjacent multifamily residential. One of these uses, Motor Vehicle, Storage Yard, is specifically prohibited within the Reservoir Protection Area of the Salem Lake Watershed.

Planning staff notes that our support for this request is only because the site is already zoned HB-S. Consistent with the area plan, staff would not support other future non-residential zonings in the area.

### 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-1677</td>
<td>R4 to B3-S (HB-S)</td>
<td>Approved 11-5-90</td>
<td>Current site</td>
<td>1.52</td>
<td>Denial</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 would allow for a new business opportunity.</td>
<td>The request would continue the presence of commercial zoning directly adjacent to multifamily residential.</td>
</tr>
<tr>
<td>Request would allow for the reuse of an unoccupied commercial building.</td>
<td></td>
</tr>
</tbody>
</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

- No additional conditions are recommended.

### 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: Clarence Lambe
VOTE:
  FOR: Wesley Curtis, 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
DOCKET #: W3120

PROPOSED ZONING: GB-L

EXISTING ZONING: HB-S

PETITIONER: Bank of North Carolina for property owned by Same

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 2

ACRES: 1.52

NEAREST BLDG: 20' west

MAP(S): 648858

500' notification radius
East-Northeast Area Plan, 2008
Proposed Land Use Changes

- **Proposed Land Use Changes**
  - Low-Density Residential (up to 5 du/ac)
  - Urban Residential (Single-Family to Quadraplex)
  - Moderate-Density Residential (up to 8 du/ac)
  - Intermediate-Density Residential (up to 12 du/ac)

- **Residential Opportunity Areas**
  - Low (up to 5 du/ac)
  - Urban (Single-Family to Quadraplex)
  - Moderate (up to 8 du/ac)
  - Intermediate (up to 12 du/ac)

- Special Land Use Conditions
  - (See text page 60)

- **Mixed-Use Area**
  - (See text page 36)

- **Activity Center (AC)**
  - (See text page 40)

- **Conference Center**

**Subject Property W3120**

**Conference Center Mixed-Use Area**

**Old Greensboro Rd**

**Reidsville Rd**

**Conference Center Mixed-Use Area**

**Subject Property W3120**
The proposed special use zoning map amendment from HB-S (Highway Business District) to GB-L (General Business-Special Use Limited District) with its added conditions is consistent with the *Legacy Comprehensive Plan*, and is reasonable and in the public interest because:

1. The request would allow for a new business opportunity; and

2. The request would allow for the reuse of an unoccupied commercial building.
While the proposed special use zoning map amendment from HB-S (Highway Business District) to GB-L (General Business-Special Use Limited District) with its added conditions is consistent with the Legacy Comprehensive Plan, it is not reasonable and in the public interest because the request will continue the presence of commercial zoning directly adjacent to multifamily residential properties.