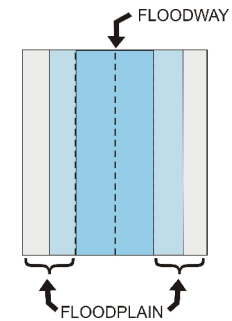


**DOCKET #:** W3018  
(continued from 2/12/09)

**PROPOSED ZONING:**  
GB-L

**EXISTING ZONING:**  
GI

**PETITIONER:**  
Charles Kendall Johnson,  
Bernard Scales Jr., and  
Gloria J. Scales  
for property owned  
by Same



**SCALE:** 1" represents 200'

**STAFF:** Reed

**GMA:** 2

**ACRES:** 1.78

**NEAREST  
BLDG:** 10' southwest

**MAP(S):** 624858

**F**

March 25, 2009

C. Kendall Johnson  
854 W Northwest Blvd.  
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-3018

Dear Mr. Johnson:

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  
Bernard & Gloria Scales, 1829 Pleasant Street, Winston-Salem, NC 27107

**ACTION REQUEST FORM**

**DATE:** March 25, 2009  
**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 Charles Kendall Johnson; Bernard Scales, Jr., and Gloria J. Scales

**SUMMARY OF INFORMATION:**

Zoning map amendment of Charles Kendall Johnson; Bernard Scales, Jr., and Gloria J. Scales from GI to GB-L (Medical and Surgical Offices; Manufacturing A; Restaurant [without drive-through service]; Services, Personal; Motorcycle Dealer; General Merchandise Store; and Retail Store, Specialty or Miscellaneous): property is located on the south side of Northwest Boulevard, between Thurmond Street and Rundell Street (Zoning Docket W-3018).

**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 Charles Kendall Johnson; Bernard Scales, Jr., and Gloria J. Scales, Docket W-3018

AN ORDINANCE AMENDING THE  
WINSTON-SALEM CITY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE CITY OF WINSTON-SALEM, N.C.

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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 GI to GB-L the zoning classification of the following described property:

PIN #6825-99-0604, 6825-99-1757, and 6825-89-9723

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 Charles Kendall Johnson; Bernard Scales, Jr., and Gloria J. Scales.

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 Charles Kendall Johnson; Bernard Scales, Jr., and Gloria J. Scales. 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 Charles Kendall Johnson; Bernard Scales, Jr., and Gloria J. Scales, (Zoning Docket W-3018). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Medical and Surgical Offices; Manufacturing A; Restaurant (without drive-through service); Services, Personal; Motorcycle Dealer; General Merchandise Store; and Retail Store, Specialty or Miscellaneous, 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, and the following additional conditions be met:

There are no additional conditions at this time.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3018
<b>Staff</b>	<a href="#">David Reed</a>
<b>Petitioner(s)</b>	Charles Kendall Johnson; Bernard Scales, Jr., and Gloria J. Scales
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN #s 6825-99-0604, 6825-99-1757, and 6825-89-9723
<b>Address</b>	854 W Northwest Boulevard
<b>Type of Request</b>	Special Use Limited Rezoning
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> GI (General Industrial) <b>to</b> GB-L (General Business – Special Use Limited). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Medical and Surgical Offices; Manufacturing A; Restaurant (without drive-through service); Services, Personal; Motorcycle Dealer; General Merchandise Store; and Retail Store, Specialty or Miscellaneous</li> </ul> <p><b>NOTE:</b> Both general 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.</p>
<b>Zoning District Purpose Statement</b>	<p>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 Growth Management Areas 1, 2, 3, and Metro Activity Centers.</p>
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<p><b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Yes, the surrounding area has a mixture of business and industrial uses.</p>
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	South side of Northwest Boulevard, between Thurmond Street and Rundell Street
<b>Jurisdiction</b>	City of Winston-Salem
<b>Ward(s)</b>	Northwest Ward
<b>Site Acreage</b>	Approximately ± 1.78 acres
<b>Current Land Use</b>	Multi tenant industrial building

<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>		<b>Use</b>
	North	GB and GI		Businesses
	East	GI		Industrial
	South	GI		Industrial
	West	GI		Industrial
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>			
	Yes			
<b>Physical Characteristics</b>	The site slopes down slightly to the southeast			
<b>Proximity to Water and Sewer</b>	Public water and sewer are available to the site.			
<b>Stormwater/ Drainage</b>	The site is developed and no additional impervious area is proposed.			
<b>Watershed and Overlay Districts</b>	The site is not within a water supply watershed.			
<b>Analysis of General Site Information</b>	The site is already developed under the existing GI zoning. No significant changes to the site are proposed.			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
W Northwest Boulevard	Major Thoroughfare	305 feet	8,300	13,100
<b>Proposed Access Point(s)</b>	West side of W Northwest Boulevard			
<b>Trip Generation - Existing/Proposed</b>	No trip generation rate available for existing general use GI zoning or proposed GB-L zoning.			
<b>Sidewalks</b>	Sidewalks exist along both sides of W Northwest Blvd at this location.			
<b>Transit</b>	Route 4 runs along Thurmond Street, west of the site.			
<b>Traffic Impact Study (TIS)</b>	A TIS is not required.			
<b>Analysis of Site Access and Transportation Information</b>	Staff does not anticipate any negative transportation impacts from this request.			

<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	<b>2 (Urban Neighborhoods)</b>
<b>Relevant Legacy Recommendations</b>	<p><u>Infill and Redevelopment:</u> Manage growth by making more efficient use of land that has already been developed, encouraging reuse and infill and capitalizing on other development opportunities. Older urban and suburban neighborhoods should be reinforced as good places to live and do business. (p. 25)</p> <p><u>Infill and Redevelopment:</u> Increased infill development could bring new opportunity and improved quality of life for residents within the MSA, especially for neighborhoods within the city. Increased tax base, property values, jobs closer to home and increased investment and amenities in these neighborhoods are some of the potential benefits. (p. 38)</p> <p><u>Economic Development:</u> Concentrate economic development activity in locations identified in the Legacy development guide including Winston-Salem's Downtown, Activity Centers, and urbanized areas with established infrastructure. (p. 77)</p>
<b>Relevant Area Plan(s)</b>	<b>North Central Area Plan (Adopted 2007)</b>
<b>Area Plan Recommendations</b>	The area plan does not make a land use recommendation for the site.
<b>Greenway Plan Information</b>	The Greenway Plan does not show this portion of Peters Creek for a proposed trail. However, the <i>North Central Area Plan</i> does recommend a greenway be constructed along this portion of Peters Creek. After review of the site, a greenway easement is not being requested for this property due to the location of the building on the site. The building is too close to the top of the stream bank to allow for adequate space for a greenway.
<b>Other Applicable Plans and Planning Issues</b>	<p><b>COMMUNITY DEVELOPMENT</b></p> <p>Certified Area/Name: Older B: Central Winston-Salem GNRP (NCR-44)</p> <p>Type of Certification: N/A</p> <p>Date of Certification: April 21, 1966</p> <p>Redevelopment Recommendation(s): N/A</p>
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(3) - Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>(S)(4) - Is the requested action in conformance with Legacy?</b>
	Yes
<b>Analysis of Conformity to Plans and Planning Issues</b>	Staff views this request as being consistent with the recommendations of the <i>North Central Area Plan (NCAP)</i> .



RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2126	GI to GB	Approved 1-9-97	North	0.28	Approval	Approval
W-2547	GI to GB	Approved 7-15-02	North	0.62	Approval	Approval
Positive Aspects of Proposal			Negative Aspects of Proposal			
Petition is consistent with <i>Legacy</i> and the <i>North Central Area Plan</i> .			This rezoning would slightly reduce the amount of available industrially zoned land.			

**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 map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Wesley Curtis

VOTE:

FOR: Jerry Clark, Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning