

May 20, 2009

Winston Tower Church, LLC
c/o David Shannon
301 N. Main Street, Suite 2300
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-3035

Dear Mr. Shannon:

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

DATE: May 20, 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 Winston Tower Church, LLC

SUMMARY OF INFORMATION:

Zoning Map Amendment of Winston Tower Church, LLC from CB to CI: property is located on the northeast corner of Church Street and 3rd Street (Zoning Docket W-3035).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED

CITY ORDINANCE - GENERAL USE

Zoning Petition of Winston Tower Church, LLC, Docket W-3035

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 CB to CI the zoning classification of the following described property:

PIN #6835-26-9918

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3035		
Staff	Gary Roberts, Jr. AICP		
Petitioner(s)	Winston Tower Church, LLC		
Owner(s)	Same		
Subject Property	PIN #6835-26-9918		
Address	301 North Church Street		
Type of Request	General use rezoning		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from CB (Central Business District) to CI (Central Industrial District).</p> <p>NOTE: 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>		
Zoning District Purpose Statement	<p>The CI District is intended to accommodate biomedical, technological, scientific, and other public and private research uses within GMA 1. The district is also intended to accommodate a pedestrian oriented mixture of uses such as office, retail, residential and light manufacturing to support the primary research function of the district. The district encourages innovation by offering flexibility in design and layout requirements in an urban context. Development in the CI District should incorporate pedestrian oriented design elements such as façade articulation, sidewalks, open space plazas, entrances facing the street, windows, awnings, and structured parking.</p>		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	<p>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Because the request is for general use zoning, compliance with the pedestrian oriented design elements mentioned in the purpose statement cannot be determined. However, the site is located within GMA 1, bordered by public streets on all sides, and surrounded by CI/CI-S zoning on 3 sides.</p>		
GENERAL SITE INFORMATION			
Location	Northeast corner of Church Street and 3rd Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	East		
Site Acreage	Approximately ± 1.15 acres		
Current Land Use	The site is developed with a large unoccupied office building.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	CI	Parking lot
	East	CI	Parking lot & railroad
	South	CI-S	Forsyth County Jail
	West	CB	Winston Tower

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Yes, the site is adjacent to CI zoning on two sides and CI-S and CB zoned properties on the other two sides.			
Physical Characteristics	The lot is fully developed with a gentle slope downward to the east.			
Proximity to Water and Sewer	Public water and sewer are available			
Stormwater/ Drainage	No known issues.			
Analysis of General Site Information	It appears the site has no development constraints, and is suitable for development within the proposed CI district.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
North Church Street	Minor Thoroughfare	186'	1,900	29,700
West Fourth Street	Minor Thoroughfare	273'	5,200	15,600
North Chestnut Street	Collector Street	184'	NA	NA
West Third Street	Minor Thoroughfare	273'	3,300	15,600
Proposed Access Point(s)	Because this is a general use request, the exact location of access points is unknown. However, the site does have public road frontage on four sides.			
Trip Generation - Existing/Proposed	Trip generation is not available for the existing and proposed general use districts.			
Sidewalks	Sidewalks are located on both sides of all adjacent streets.			
Transit	Route 1 along Fourth Street			
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 1, City/Town Centers			
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Revitalize and concentrate development in downtowns and existing commercial centers. Encourage redevelopment of infill and "under invested" areas. 			
Relevant Area Plan(s)	<i>The Downtown Plan</i> , updated in 2007			
Area Plan Recommendations	<ul style="list-style-type: none"> The site is located in the Corporate/Government District of Downtown Winston-Salem. <i>The Downtown Plan</i> does not identify any planned redevelopment for this site because it is already developed with an office building. 			

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?					
	No					
	(S)(4) - Is the requested action in conformance with <i>Legacy</i>?					
Yes						
Analysis of Conformity to Plans and Planning Issues	The CI District was recently amended to include a broader array of uses including office, retail, residential and light manufacturing within a pedestrian oriented context. Staff views this CI request as compatible with <i>The Downtown Plan</i> , the recommendations of <i>Legacy</i> , and the surrounding development pattern.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1662	I-1 & B-1 to I2-S (CI-S)	Approved 7-2-90	Directly south	6.93	Approval	Approval
Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy</i> policies:		Yes			
	(B) <i>Environmental Ord.</i>		NA			
	(C) Subdivision Regulations		NA			
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
Consistent with <i>The Downtown Plan</i> and <i>Legacy</i> .						
CI zoning is compatible with the general area.						

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, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe,
Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning