



DOCKET #: W2853

PROPOSED ZONING:
PB

EXISTING ZONING:
LI

PETITIONER:
T.S. Investment Properties,
L.P. for property owned
by Same

SCALE: 1" represents 200'

STAFF: King

GMA: 2

ACRE(S): 3.14

MAP(S): 630858



May 24, 2006

TS Investment Properties, LP
c/o Arlis E. Vernon, G.P.
1170 Chester Road
Winston-Salem, NC 27104

RE: ZONING MAP AMENDMENT W-2853

Dear Mr. Vernon:

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
Christopher T. Kellner, 3841 Beeson Dairy Road, Winston-Salem, NC 27105

ACTION REQUEST FORM

DATE: May 24, 2006
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 T.S. Investment Properties, L.P.

SUMMARY OF INFORMATION:

Zoning Map Amendment of T.S. Investment Properties, L.P. from LI to PB: property is located on the southwest corner of Oak Street and West Tenth Street and at the eastern terminus of Arlis Court (Zoning Docket W-2853).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of TS Investment Properties,
L.P., Docket W-2853

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 PB the zoning classification of the following described property:

Tax Block 0154, Tax Lots 104, 105, 106A, 107, 110, 111, 203, 208, and 210
Tax Block 6046, Tax Lot 003

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD STAFF
STAFF REPORT FOR: Docket # W-2853
May 11, 2006**

PETITION INFORMATION	
Docket #	W-2853
Staff	Aaron King
Petitioner(s)	T.S. Investment Properties, L.P.
Owner(s)	Same
Subject Property	Tax Lots 104, 105, 106A, 107, 110, 111, 203, 208, and 210, Tax Block 154 and Tax Lot 3, Tax Block 6046
Type of Request	General use rezoning request from LI to PB.
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial) to PB (Pedestrian Business).</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	The PB District is primarily intended to accommodate office, retail, service, institutional and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. This district is intended for application in Growth Management Areas 2 and 3.
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>The subject property is located in GMA 2 and would help to “accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem.”</p>
GENERAL SITE INFORMATION	
Location	Southwest corner of Oak Street and West Tenth Street and at the eastern terminus of Arlis Court.
Jurisdiction	City of Winston-Salem
Ward(s)	East
Site Acreage	Approximately ± 3.14 acres
Current Land Use	Vacant tobacco factory built around the turn of the century.

Surrounding Property Zoning and Use	Direction	Zoning District		Use
	North	LI		WSTA bus depot; produce company
	East	LI		Produce company
	South	LI		Undeveloped land
	West	LI & HB		Undeveloped land; commercial building
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 uses allowed under the PB district would be compatible with the surrounding LI, HB, & CB districts. The subject property is in close proximity to downtown Winston-Salem and would be appropriate for PB zoning.			
Physical Characteristics	The subject property slopes down severely from the southeast corner (+/- 936 ft.) to the northwest corner (+/- 870 ft.).			
Proximity to Water and Sewer	The subject property has access to public water and public sanitary sewer.			
Stormwater/ Drainage	No known issues			
Watershed and Overlay Districts	The subject property is not located within a water supply watershed.			
Historic, Natural Heritage and/or Farmland Inventories	The existing building on the site is listed on North Carolina's Study List for the National Register of Historic Places. The (former) J.G. Flynt Tobacco Factory was built ca. 1911 and is a three-story brick building with segmental arched windows and doors. Brown & Williamson bought the Flynt building in 1926 when Flynt went out of business. George T. Brown & R.L. Williamson started their tobacco company in 1894, and by 1906, the company had incorporated and expanded its products from plug tobacco to snuff. In 1927 Brown & Williamson was purchased by the British-American Tobacco Company Ltd. Staff strongly encourages the retention and rehabilitation of this important early industrial building.			
Analysis of General Site Information	The subject request includes 3.14 acres located at the eastern terminus of Arlis Court. The site currently contains a vacant tobacco factory and parking lot. The site's topography slopes down from the southeast to the northwest. The site currently has access to public roads, water, and sewer and poses no development issues.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Arlis Court	Local Road	+/- 70 feet	NA	NA
Oak Street	Local Road	+/- 315 feet	NA	NA
Proposed Access Point(s)	Since this is a general use rezoning request, the exact location of access points cannot be determined. The subject property does have public road frontage on Arlis Court and Oak Street.			

Planned Road Improvements	None noted
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: LI</u> No trip generation numbers available for general use zoning.</p> <p><u>Proposed Zoning: PB</u> No trip generation numbers available for general use zoning.</p>
Sidewalks	Sidewalks exist on Oak Street
Transit	Route 15 runs along Cherry Street.
Analysis of Site Access and Transportation Information	Since this is a general use rezoning request, staff cannot fully evaluate the transportation impacts. However, staff believes that transportation impacts would be similar to what could be expected under the existing LI zoning. Many of the roads in this area are recognized by the Thoroughfare Plan as being adequate and would not be severely impacted by additional traffic. The site would also be in close proximity to the downtown Winston-Salem sidewalk network.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	GMA 2 (Urban Neighborhoods)
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • <i>Legacy</i> recommends managing growth by making more efficient use of land that has already been developed, encouraging reuse and infill. The area is near the job opportunities and cultural attractions of the Center City. This is an area in which to encourage quality infill development, greater residential densities where appropriate, and community services. Historic preservation, rehabilitation and reuse of existing structures should also be encouraged in this area.
Relevant Area Plan(s)	<u>Draft</u> <i>North Central Winston-Salem Area Plan</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The draft <i>North Central Winston-Salem Area Plan</i>, which has not been adopted, recommends that the land use for the site be Mixed-Use as part of the proposed North Trade Street Warehouse/Loft District. Conversion of all or portions of buildings for residential use, including live/work spaces, construction of new residential buildings, and continuation of existing industrial uses in area as market demands are allowed in this proposed district.
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 request is consistent with the general recommendations of Legacy and the <u>draft</u> recommendations of the <i>North Central Winston-Salem Area Plan</i> . Reinvestment in this property is encouraged, since it is an existing commercial/industrial site supported by municipal services. The reuse of existing sites helps to limit the effects of sprawl and encourage other investment in close proximity to downtown Winston-Salem. The North Central Area Plan, which is in draft format, recommends the site be developed as mixed use. PB zoning would allow for a mixed use project to take place, whereas the existing LI zoning would not.
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RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2775	LI to HB	Approved July 5, 2005	West	0.11 acres	Approval	Approval
W-2704	LI to PB	Approved July 5, 2004	South	0.25 acres	Approval	Approval
W-2126	GI to GB	Approved February 3, 1997	Northwest	0.28 acres	Approval	Approval

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

Positive Aspects of Proposal	Negative Aspects of Proposal
The request is consistent with the recommendations of <i>Legacy</i> and the <u>draft</u> <i>North Central Winston-Salem Area Plan</i> .	Since the request is for general use zoning, there is no guarantee that the existing structure would be retained.
The request is in conformance with the PB purpose statement.	
The PB district offers more flexibility in design and setbacks, which would be desired in such close proximity to downtown Winston-Salem.	

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.

SECOND: Paul Mullican

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning