DOCKET #: W2857

PROPOSED ZONING:
GI-S (Recycling Center)

EXISTING ZONING:
LI

PETITIONER:
James M. Logan for property owned by Same

SCALE: 1" represents 200'

STAFF: King

GMA: 3

ACRE(S): 1.81

MAP(S): 624870, 630870
May 24, 2006

James M. Logan
Advanced Dewatering Technology
2660 Kecoughtan Road
Pfafftown, NC  27040

RE:  ZONING MAP AMENDMENT W-2857

Dear Mr. Logan:

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
     Stephen G. Calaway, 1330 Ashley Square, Winston-Salem, NC  27103
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 James M. Logan from LI to GI-S (Recycling Center)

SUMMARY OF INFORMATION:

Zoning Map Amendment of James M. Logan from LI to GI-S (Recycling Center): property is located on the southwest side of Indiana Avenue, northwest of Parkwood Avenue (Zoning Docket W-2857).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS
CITY ORDINANCE - SPECIAL USE
Zoning Petition of James M. Logan, Docket W-2857

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 GI-S (Recycling
Center) the zoning classification of the following described property:

All that parcel of land lying in Winston Township, County of Forsyth and State of North
Carolina containing 1.80917 acres, more or less, as shown on survey by Thomas A. Riccio,
Professional Land Surveyor, described as follows:

Beginning at an iron stake lying in the southwest right-of-way line of Indiana Avenue, northwest
corner of the property of Tar Heel Paving Co., Inc. (Tax Block 2035, Lot 113) and running
thence south 36° 38' 19" west 225.53 feet to an iron stake located in the right-of-way line of the
Southern Railway; running thence with the railroad north 35° 23' 00" west 478.13 feet to a point;
running thence north 54° 28' 51" east 137.10 feet to a point in Indiana Avenue; thence running
with the right-of-way line of Indiana Avenue south 45° 36' 35" east 206.56 feet to a point and
continuing south 46° 38' 01" east 209.60 feet to the place of BEGINNING.

Tax Block 2036, Lot 101B and part of Lots 02A and 102.

Section 2. This Ordinance is adopted after approval of the site plan entitled James M.
Logan/Advanced Dewatering Technology and identified as Attachment "A" of the Special Use
District Permit issued by the City Council the ______ day of __________________, 20___ to
James M. Logan.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit
pursuant to the Zoning Ordinance of the Unified Development Ordinances for a development to
be known as James M. Logan/Advanced Dewatering Technology. Said Special Use District
Permit and site plan with associated documents are 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 District Permit for the site shown on the site plan map included in this zoning petition of James M. Logan, (Zoning Docket W-2857). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for GI-S (Recycling Center), approved by the Winston-Salem City Council the _____ day of _____________________, 20____" and signed, provided the property is developed in accordance with requirements of the GI-S 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:

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. Developer shall petition the City of Winston-Salem to close both unopened and unnamed rights-of-way.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. Developer shall install sidewalks along the frontage of Indiana Avenue to the specifications of the City of Winston-Salem Public Works Department.
  b. Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department.

- **OTHER REQUIREMENTS:**
  a. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet.
  b. All on site lighting shall be a maximum of 18 feet tall and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent properties.
  c. Any use of the property shall be conducted indoors. Outdoor activity shall be limited to ingress/egress, deliveries, and general maintenance of the property.
  d. The use of the site shall be specifically limited to the dewatering operation referenced on the site plan. Other forms/types of recycling shall not be allowed.
## PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2857</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Aaron King</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>James M. Logan</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 101B, and portions of Tax Lots 2A and 102, Tax Block 2036</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special use rezoning request from LI to GI-S for a recycling center.</td>
</tr>
</tbody>
</table>
| Proposal      | The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial) to GI-S (General Industrial – SPECIAL USE). The petitioner is requesting the following uses:  
  - Recycling Center |

### Zoning District Purpose Statement

The GI District is primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities. The district is established for the purpose of designating appropriate locations and establishing development regulations for uses which may have significant environmental impacts or which require special measures to ensure compatibility with adjoining properties. The district is established to provide locations for major developments in Growth Management Areas 1, 2, and 3.

(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes, the subject property is located in GMA 3.

## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Southwest side of Indiana Avenue across from Parkwood Avenue</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>Approximately ± 1.81 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Vacant industrial buildings</td>
</tr>
<tr>
<td>Surrounding Property Zoning and Use</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>LI</td>
<td>Industrial buildings; vacant land</td>
</tr>
<tr>
<td>East</td>
<td>RS-9</td>
<td>SF homes</td>
</tr>
<tr>
<td>South</td>
<td>LI</td>
<td>Various industrial uses</td>
</tr>
<tr>
<td>West</td>
<td>GI</td>
<td>Railroad tracks; existing industrial operations</td>
</tr>
</tbody>
</table>
### 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 located adjacent to LI and GI zoning.

### Physical Characteristics

The subject property is an existing developed site. The topography of the site is relatively flat and there are no streams or wetlands.

### Proximity to Water and Sewer

The subject property will be served by 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.

### Analysis of General Site Information

The site contains two existing industrial buildings that appear to be vacant. The proposed site plan mirrors the existing site conditions with the addition of parking and other minor modifications. This site was part of a previous rezoning request (W-2816) that was withdrawn at the November 2005 PB meeting. That request did not meet the minimum one acre lot size requirement of the GI zoning district. This request includes the previous site and a small amount of additional acreage needed to meet the one acre requirement. The site contains no streams or wetlands and poses no development issues.

### 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>Major Thoroughfare</td>
<td>+/- 390 feet</td>
<td>16,000</td>
<td>23,900</td>
</tr>
</tbody>
</table>

### Proposed Access Point(s)

One access point onto Indiana Avenue.

### Planned Road Improvements

The Thoroughfare Plan recognizes Indiana Avenue as being an adequate cross section (but recommends the addition of sidewalk).

### Trip Generation - Existing/Proposed

**Existing Zoning: LI**

29,328 / 1,000 x 6.97 (General Light Industrial Trip Rate) = 65 Trips per Day

**Proposed Zoning: GI-S**

29,328 / 1,000 x 6.97 (General Light Industrial Trip Rate) = 65 Trips per Day

### Sidewalks

The Interdepartmental Staff has requested sidewalks along Indiana Avenue.

### Transit

Route 40 runs along Indiana Avenue.

### Traffic Impact Study (TIS)

Not required
The site plan proposes one access point onto Indiana Avenue at its existing location. Trip generation for this request should be consistent with what is allowed under the existing LI zoning.

**Generalized Recommended Conditions**

- Condition to close unopened right-of-ways
- Condition for sidewalk along Indiana Avenue
- Repair any damaged curb and gutter

### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>GMA 3 (Suburban Neighborhoods)</th>
</tr>
</thead>
</table>

#### Relevant Legacy Recommendations

One of the objectives of *Legacy* (pg. 78-79) is the redevelopment of abandoned industrial and brownfield sites. Some of the benefits that *Legacy* mentions regarding the redevelopment of abandoned industrial sites are:

- By rehabilitating derelict and underutilized properties which are currently fiscal and social liabilities, these abandoned industrial and brownfield sites can again become assets to the local tax base and positive contributors to the overall community image.
- These abandoned industrial sites are typically located in established urban locations, and are often more accessible than “greenfields” by public transportation and are more conveniently located near other types of public infrastructure.
- Since required infrastructure is already in place, the public costs to revitalize such sites is often less than the short or long term costs of developing suburban fringe sites.

**Relevant Area Plan(s)**

*North Suburban Area Plan (2005)*

- The *North Suburban Area Plan* recommends the site for commercial use.

**(S)(3) - Have changing conditions substantially affected the area in the petition?**

No

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

Yes

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

The request is in conformance with the recommendations of *Legacy*. The proposed recycling center would make use of deteriorating industrial buildings that appear to have been unoccupied for some time. *Legacy* recognizes that by reusing existing industrial sites, they can become assets to the local tax base, positive contributors to the overall community image, and are typically located near existing infrastructure reducing the cost of redevelopment. While the *NSAP* recommends that site be used for commercial use, staff feels that the proposed industrial use would also be appropriate, given the existing surrounding zoning and land 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></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Staff</td>
</tr>
<tr>
<td>W-2816</td>
<td>LI to GI-S</td>
<td>Withdrawn at November 10, 2005 PB meeting</td>
<td>Includes subject property</td>
<td>0.88</td>
<td>Denial</td>
</tr>
<tr>
<td>W-2702</td>
<td>LI to HB-S</td>
<td>Approved August 2, 2004</td>
<td>Southeast</td>
<td>1.1 acres</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2477</td>
<td>LI to HB</td>
<td>Approved July 16, 2004</td>
<td>East</td>
<td>0.42 acres</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2304</td>
<td>LI to HB-S</td>
<td>Approved April 5, 1999</td>
<td>Southeast</td>
<td>2.01 acres</td>
<td>Approval</td>
</tr>
</tbody>
</table>

## SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking</td>
<td>5 spaces</td>
<td>5 spaces</td>
<td>NA</td>
</tr>
<tr>
<td>Building Height</td>
<td>70 feet/unlimited</td>
<td>1-story</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>100%</td>
<td>62%</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
<th></th>
<th></th>
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<tbody>
<tr>
<td>Section 2-1.4(C) General Industrial District</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
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</thead>
<tbody>
<tr>
<td>(A) Legacy policies: Yes</td>
</tr>
<tr>
<td>(B) Environmental Ord. Yes</td>
</tr>
<tr>
<td>(C) Subdivision Regulations NA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Analysis of Site Plan Compliance with UDO Requirements</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The site plan indicates that the two existing industrial buildings will be used for a recycling center. The specific type of recycling appears to be a process by which grease from restaurants is recycled to remove water from the grease, with the remaining solids being deposited at the landfill. Staff feels that if all of the recycling activity on-site is contained indoors, it should help to mitigate any potential impacts generated by this operation.</td>
<td></td>
</tr>
</tbody>
</table>
### Generalized Recommended Conditions

**BRIEF DESCRIPTION OF CONDITION(S):**
- Signage condition
- Lighting condition
- Condition that activity be conducted indoors
- Condition to specifically limit the site to the dewatering use

### 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 in conformance with the recommendations of <em>Legacy</em> that address reuse of brownfield sites.</td>
<td>The request may generate some unwanted impacts to adjacent residents.</td>
</tr>
<tr>
<td>This request would be a good re-investment in a site that appears to have been deteriorating for some time.</td>
<td>The request does intensify the industrial zoning for the property.</td>
</tr>
<tr>
<td>GI-S zoning is consistent with the surrounding zoning and land uses.</td>
<td>GI zoning is not specifically in conformance with the <em>NSAP</em>.</td>
</tr>
<tr>
<td>The recommended conditions of approval should help to mitigate potential unwanted impacts to surrounding residents.</td>
<td></td>
</tr>
</tbody>
</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
- a. Developer shall petition the City of Winston-Salem to close both unopened and unnamed rights-of-way.

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
- a. Developer shall install sidewalks along the frontage of Indiana Avenue to the specifications of the City of Winston-Salem Public Works Department.
- b. Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department.

### OTHER REQUIREMENTS:
- a. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet.
- b. All on site lighting shall be a maximum of 18 feet tall and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent properties.
- c. Any use of the property shall be conducted indoors. Outdoor activity shall be limited to ingress/egress, deliveries, and general maintenance of the property.
- d. The use of the site shall be specifically limited to the dewatering operation referenced on the site plan. Other forms/types of recycling shall not be allowed.

### 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: 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