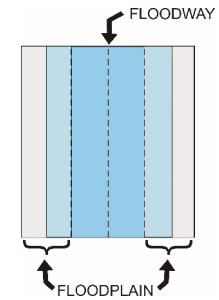


DOCKET #: W2886

PROPOSED ZONING:
LI

EXISTING ZONING:
GB

PETITIONER:
Luter Associates



SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRE(S): 1.48

MAP(S): 624874



September 20, 2006

Luter Associates
c/o Joseph Luter
200 Commerce Street
Smithfield, VA 23430

RE: ZONING MAP AMENDMENT W-2886

Dear Mr. Luter:

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
Carver Rudolph, 420 W. 4th Street, Suite 202, Winston-Salem, NC 27101
Steve Calaway, 1330 Ashley Square, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: September 20, 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 Luter Associates

SUMMARY OF INFORMATION:

Zoning Map Amendment of Luter Associates from GB to LI: property is located on the south side of North Point Boulevard, west of Cherry Street (Zoning Docket W-2886).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Luter Associates, Docket W-2886

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 GB to LI the zoning classification of the following described property:

Tax Block 3442, Tax Lot 132E

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-2886		
Staff	Gary Roberts		
Petitioner(s)	Luter Associates		
Owner(s)	Same		
Subject Property	Tax Lot 132E / Tax Block 3442		
Type of Request	General Use District rezoning from GB to LI		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from GB General Business District to LI Limited 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 LI District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial and service activities which, in their normal operations, have little or no adverse effect upon adjoining properties. The district is established to provide locations for industrial development in Growth Management Areas 1, 2, 3, and 4, and activity centers.</p>		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes		
GENERAL SITE INFORMATION			
Location	South side of North Point Boulevard, west of Cherry Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	North		
Site Acreage	Approximately ± 1.48 acres		
Current Land Use	Site is undeveloped		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	GB and LI	Various business establishments and a large scale industrial operation
	East	GB	Various business/commercial establishments

	South	RM-18	Multifamily residential	
	West	GB	Various business/commercial establishments	
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			
Physical Characteristics	The undeveloped site has been cleared and has a gentle to moderate slope downward from the northeast to the southwestern portion of the site. A tributary of Monarcas Creek forms the southern boundary of the petition site, separating it from Brownsboro Road.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Stormwater/ Drainage	No known issues			
Analysis of General Site Information	Site appears to be suitable for development under the proposed LI District.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
North Point Boulevard	Major Thoroughfare	135'	NA	32,400
Proposed Access Point(s)	The subject property has public road frontage along North Point Boulevard.			
Planned Road Improvements	The Thoroughfare Plan calls for North Point Boulevard to be a four lane facility with a raised median, widened outside lane and sidewalks.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: GB</u> No trip rates available for general use zoning.			
	<u>Existing Zoning: LI</u> No trip rates available for general use zoning.			
Sidewalks	No sidewalks are currently located on either side of this section of North Point Boulevard.			
Transit	Route 4 along North Cherry Street and Brownsboro Road.			
Traffic Impact Study (TIS)	No TIS is required			
Analysis of Site Access and Transportation Information	Access to the site is adequate.			

CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA		GMA 3 (Suburban Neighborhoods)				
Relevant Legacy Recommendations		<ul style="list-style-type: none"> Legacy recommends promoting economic development that is compatible with existing residential neighborhoods and other business developments. Legacy also recommends quality infill development. 				
Relevant Area Plan(s)		North Suburban Area Plan (2005)				
Area Plan Recommendations		<ul style="list-style-type: none"> The North Suburban Area Plan recommends commercial use for the general area that includes this site and surrounding properties. 				
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 Legacy?				
		Yes				
Analysis of Conformity to Plans and Planning Issues		<p>The existing GB District allows many of the same intensive uses permitted in the requested LI District. These uses include: Fuel Dealer; Motor Vehicle Body or Paint Shop; and Manufacturing A.</p> <p>Some of the uses which are permitted in the proposed LI District which are not currently allowed include: Building Contractors Heavy; Signs, Off-Premises; and Manufacturing B. The North Suburban Area Plan recommends commercial use for the subject property. However, considering the similarities between the existing and proposed districts and the specific context of the subject property (near other LI property), Planning staff sees the request as an encouragement for infill development on an underused tract of land which has already been cleared.</p>				
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2460	LI to HB	Approved 5-7-01	1,900' southeast	3.49	Approval	Approval
W-2017	LI to GI	Approved 12-4-95	1,100' northeast	7.99	Approval	Approval
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The request will apparently enable a development scenario which is currently unavailable, to take place on an underutilized infill property.			The request may allow for an intensification of the site which could have negative impacts on the adjacent business/office uses.			

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: Jerry Clarke

VOTE:

FOR: Jerry Clark, 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