



DOCKET #: W2896

PROPOSED ZONING:
GB

EXISTING ZONING:
LI

PETITIONER:
Hanes Mall Boulevard
Partners LLC for property
owned by Same

SCALE: 1" represents 200'

STAFF: King

GMA: 3

ACRE(S): 1.68

MAP(S): 600846



December 20, 2006

Hanes Mall Boulevard Partners, LLC
1045 Burke Street
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-2896

Dear Sir:

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
James E. Painter, 206 W. 4th Street, Winston-Salem, NC 27101

ACTION REQUEST FORM

DATE: December 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 Hanes Mall Boulevard Partners, LLC

SUMMARY OF INFORMATION:

Zoning Map Amendment of Hanes Mall Boulevard Partners, LLC from LI to GB: property is located on the north side of Hanes Mall Boulevard, east of Jonestown Road (Zoning Docket W-2896).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Hanes Mall Boulevard Partners, LLC, Docket W-2896

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 GB the zoning classification of the following described property:

Tax Block 3409, Tax Lots 33U & 33V

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-2896		
Staff	Aaron King		
Petitioner(s)	Hanes Mall Boulevard Partners, LLC		
Owner(s)	Same		
Subject Property	Tax Lots 33U and 33V, Tax Block 3409		
Type of Request	General use rezoning from LI to GB.		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial) to GB (General 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	<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 activity centers.</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>The subject property is located in GMA 3 and along a major thoroughfare.</p>		
GENERAL SITE INFORMATION			
Location	North side of Hanes Mall Boulevard, east of Jonestown Road		
Jurisdiction	City of Winston-Salem		
Ward(s)	Southwest		
Site Acreage	Approximately ± 1.68 acres		
Current Land Use	The site currently contains an insurance office.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	LI	I-40
	East	GB	Carmax auto sales
	South	RS-9	Undeveloped land
	West	HB	Restaurant

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 lies between two properties with general use business zoning. The majority of Hanes Mall Boulevard is zoned for commercial use.			
Physical Characteristics	The site contains a flat topography with no streams or wetlands.			
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.			
Analysis of General Site Information	The subject property appears suitable for commercial development.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Hanes Mall Blvd.	Major Thoroughfare	+/- 237 feet	14,000	16,100
Proposed Access Point(s)	Since this is a general use request, the exact location of access points is unknown. The site does have public road frontage on Hanes Mall Boulevard.			
Planned Road Improvements	The Thoroughfare Plan recommends Hanes Mall Boulevard be constructed as a four-lane divided cross section with raised median, curb and gutter, and sidewalks.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: LI</u> No trip generation numbers available for general use LI zoning. <u>Proposed Zoning: GB</u> No trip generation numbers available for general use GB zoning.			
Sidewalks	None existing.			
Transit	Route 43 runs along Hanes Mall Boulevard.			
Traffic Impact Study (TIS)	Not required.			
Analysis of Site Access and Transportation Information	Since this is a general use request, the exact location of access points and estimated number of trips is unknown.			

CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA	GMA 3 (Suburban Neighborhoods)					
Relevant Legacy Recommendations	<i>Legacy</i> recommends concentrating economic development activity in locations identified in the <i>Legacy</i> development guide including Winston-Salem's Downtown, Activity Centers, and urbanized areas with established infrastructure.					
Relevant Area Plan(s)	<i>South Stratford Road Development Guide</i>					
Area Plan Recommendations	<ul style="list-style-type: none"> The <i>South Stratford Road Development Guide</i> indicates this site to be appropriate for office uses. No specific zoning district is recommended. 					
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?					
	Yes					
	(S)(4) - Is the requested action in conformance with <i>Legacy</i>?					
	Yes					
Analysis of Conformity to Plans and Planning Issues	The subject request is consistent with the recommendations of <i>Legacy</i> and the <i>South Stratford Road Development Guide</i> . Although the area plan recommends office uses for this site, conditions have changed in the last 15 years, making commercial zoning appropriate for this site. Commercial zoning is more appropriate in this location than the current LI classification.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2780	LI to GB	Approved 8/2/05	East	1.13	Approval	Approval
W-2573	LI to HB	Approved 9/3/02	West	0.98	Approval	Approval
W-2390	HB-S to HB-S	Withdrawn at the 4/13/00 PB meeting	Southeast	0.99	NA	NA
W-2053	RS-9 & HB-S to HB-S	Approved 6/3/96	South	36.09	Approval	Approval
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.3(J) GB District 					
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 <i>South Stratford Road Development Guide</i> .	With a general use request, there is no specificity about how the site will be developed.
The site is located between two properties with business zoning.	
Uses allowed in the GB district would be compatible with the surrounding area.	
The site presents no development issues.	

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 Clark

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning