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
<table>
<thead>
<tr>
<th>ACTION REQUEST FORM</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE: December 20, 2006</td>
</tr>
<tr>
<td>TO: The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM: A. Paul Norby, FAICP, Director of Planning</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COUNCIL ACTION REQUEST:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request for Public Hearing on Zoning Map Amendment of Hanes Mall Boulevard Partners, LLC</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SUMMARY OF INFORMATION:</th>
</tr>
</thead>
<tbody>
<tr>
<td>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).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PLANNING BOARD ACTION:</th>
</tr>
</thead>
<tbody>
<tr>
<td>MOTION ON PETITION: APPROVAL</td>
</tr>
<tr>
<td>FOR: UNANIMOUS</td>
</tr>
<tr>
<td>AGAINST: NONE</td>
</tr>
<tr>
<td>SITE PLAN ACTION: NOT REQUIRED</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2896</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Aaron King</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Hanes Mall Boulevard Partners, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lots 33U and 33V, Tax Block 3409</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General use rezoning from LI to GB.</td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting to amend the Official Zoning Maps for the subject property **from** LI (Limited Industrial) **to** GB (General Business).

**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.

### Zoning District Purpose Statement

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.

**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)**

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

The subject property is located in GMA 3 and along a major thoroughfare.

## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>North side of Hanes Mall Boulevard, east of Jonestown Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Southwest</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 1.68 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site currently contains an insurance office.</td>
</tr>
</tbody>
</table>

### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>LI</td>
<td>I-40</td>
</tr>
<tr>
<td>East</td>
<td>GB</td>
<td>Carmax auto sales</td>
</tr>
<tr>
<td>South</td>
<td>RS-9</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>West</td>
<td>HB</td>
<td>Restaurant</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</td>
<td>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Yes, the site lies between two properties with general use business zoning. The majority of Hanes Mall Boulevard is zoned for commercial use.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Physical Characteristics</th>
<th>The site contains a flat topography with no streams or wetlands.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proximity to Water and Sewer</td>
<td>The subject property has access to public water and public sanitary sewer.</td>
</tr>
<tr>
<td>Stormwater/Drainage</td>
<td>No known issues.</td>
</tr>
<tr>
<td>Watershed and Overlay Districts</td>
<td>The subject property is not located within a water supply watershed.</td>
</tr>
<tr>
<td>Analysis of General Site Information</td>
<td>The subject property appears suitable for commercial development.</td>
</tr>
</tbody>
</table>

### 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>Hanes Mall Blvd.</td>
<td>Major Thoroughfare</td>
<td>+/- 237 feet</td>
<td>14,000</td>
<td>16,100</td>
</tr>
</tbody>
</table>

| 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 | Existing Zoning: LI No trip generation numbers available for general use LI zoning. |
| Proposed Zoning: GB 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

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>GMA 3 (Suburban Neighborhoods)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Legacy Recommendations</td>
<td>Legacy recommends concentrating economic development activity in locations identified in the Legacy development guide including Winston-Salem’s Downtown, Activity Centers, and urbanized areas with established infrastructure.</td>
</tr>
<tr>
<td>Relevant Area Plan(s)</td>
<td>South Stratford Road Development Guide</td>
</tr>
<tr>
<td>Area Plan Recommendations</td>
<td>• The South Stratford Road Development Guide indicates this site to be appropriate for office uses. No specific zoning district is recommended.</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</td>
<td>(S)(3) - Have changing conditions substantially affected the area in the petition? Yes</td>
</tr>
<tr>
<td>(S)(4) - Is the requested action in conformance with Legacy?</td>
<td>Yes</td>
</tr>
<tr>
<td>Analysis of Conformity to Plans and Planning Issues</td>
<td>The subject request is consistent with the recommendations of Legacy and the South Stratford Road Development Guide. 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.</td>
</tr>
</tbody>
</table>

### 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>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Staff</td>
<td>CCPB</td>
</tr>
<tr>
<td>W-2780</td>
<td>LI to GB</td>
<td>Approved 8/2/05</td>
<td>East</td>
<td>1.13</td>
<td>Approval</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2573</td>
<td>LI to HB</td>
<td>Approved 9/3/02</td>
<td>West</td>
<td>0.98</td>
<td>Approval</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2390</td>
<td>HB-S to HB-S</td>
<td>Withdrawn at the 4/13/00 PB meeting</td>
<td>Southeast</td>
<td>0.99</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>W-2053</td>
<td>RS-9 &amp; HB-S to HB-S</td>
<td>Approved 6/3/96</td>
<td>South</td>
<td>36.09</td>
<td>Approval</td>
<td>Approval</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
<th>(A) Legacy policies: Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complies with Chapter B, Article VII, Section 7-5.3</td>
<td>(B) Environmental Ord. NA</td>
</tr>
<tr>
<td></td>
<td>(C) Subdivision Regulations NA</td>
</tr>
</tbody>
</table>
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 consistent with the recommendations of Legacy and the South Stratford Road Development Guide.</td>
<td>With a general use request, there is no specificity about how the site will be developed.</td>
</tr>
<tr>
<td>The site is located between two properties with business zoning.</td>
<td></td>
</tr>
<tr>
<td>Uses allowed in the GB district would be compatible with the surrounding area.</td>
<td></td>
</tr>
<tr>
<td>The site presents no development issues.</td>
<td></td>
</tr>
</tbody>
</table>

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