



DOCKET #: W2970

PROPOSED ZONING:  
PB

EXISTING ZONING:  
GB and GI

PETITIONER:  
Good Life Land LLC for  
property owned by Multiple  
owners

SCALE: 1" represents 400'

STAFF: King

GMA: 1

ACRES: 5.95

NEAREST  
BLDG: 30' north

MAP(S): 630854, 630850

F

February 20, 2008

Good Life-Land, LLC  
c/o Ed Bice and Don Angell  
127 S. Cherry Street  
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-2970

Dear Mr. Bice and Mr. Angell:

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  
Annex at Brookstown, LLC, Don Angell, 6000 Meadowbrook Mall, Clemmons, NC 27012  
Brookstown Mill Restoration, Don Angell, 6000 Meadowbrook Mall, Clemmons, NC 27012  
Lee French, Old Salem, 600 S. Main Street, Winston-Salem, NC 27108  
Don Angell, 2828 Club Park Road, Winston-Salem, NC 27104  
John Larson, 448 Factory Row, Winston-Salem, NC 27101  
Eric Kurchner, Children's Museum, 309 S. Liberty Street, Winston-Salem, NC 27101

**ACTION REQUEST FORM**

**DATE:** February 20, 2008  
**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 Good Life-Land, LLC for property owned by Good-Life Land, LLC; Annex at Brookstown, LLC; Stephen Associates, LLC; Historic Brookstown Inn, LLC; and Brookstown Mill Restoration

**SUMMARY OF INFORMATION:**

Zoning map amendment of Good Life-Land, LLC for property owned by Good-Life Land, LLC; Annex at Brookstown, LLC; Stephen Associates, LLC; Historic Brookstown Inn, LLC; and Brookstown Mill Restoration from GB and GI to PB: property is located on the north and south sides of Brookstown Avenue, east of Marshall Street (Zoning Docket W-2970).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** JERRY CLARK, ARNOLD KING, ARTHUR KING,  
CLARENCE LAMBE, LYNNE MITCHELL, BRENDA  
SMITH  
**AGAINST:** CAROL EICKMEYER  
**SITE PLAN ACTION:** NOT REQUIRED

CITY ORDINANCE - GENERAL USE

Zoning Petition of Good Life-Land, LLC for property owned by Good-Life Land, LLC; Annex at Brookstown, LLC; Stephen Associates, LLC; Historic Brookstown Inn, LLC; and Brookstown Mill Restoration, Docket W-2970

AN ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM, N.C.

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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 and GI to PB the zoning classification of the following described property:

Tax Lot 104, Tax Block 0065; Tax Lot 125, Tax Block 0560; and Tax Lots 000A, and 1-6, Tax Block 6105

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-2970
<b>Staff</b>	<a href="#">Aaron King</a>
<b>Petitioner(s)</b>	Good Life-Land, LLC
<b>Owner(s)</b>	Good-Life Land, LLC; Annex at Brookstown, LLC; Stephen Associates, LLC; Historic Brookstown Inn, LLC; and Brookstown Mill Restoration
<b>Subject Property</b>	Tax Lot 104, Tax Block 0065; Tax Lot 125, Tax Block 0560; and Tax Lots 000A, and 1-6, Tax Block 6105
<b>Type of Request</b>	General use rezoning
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> GB (General Business) and GI (General Industrial) <b>to</b> PB (Pedestrian Business).</p> <p><b>NOTE:</b> 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>
<b>Zoning District Purpose Statement</b>	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. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<p><b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Yes, the subject property is located in GMA 1 in an area that currently contains many of the characteristics of the PB district.</p>
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	North and south sides of Brookstown Avenue, east of Marshall Street
<b>Jurisdiction</b>	City of Winston-Salem
<b>Ward(s)</b>	South
<b>Site Acreage</b>	Approximately ± 5.95 acres
<b>Current Land Use</b>	The subject property currently contains the Brookstown Inn, the Salem Inn, and an office supply store.

<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	GB, LO, CB, GB, GO, RS-9, RM-12, PB, LI	Various land uses
	East		
	South		
	West		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>		
	Yes, there is a mixture of land uses surrounding the site.		
<b>Physical Characteristics</b>	The site is currently developed and slopes down gently from north to south.		
<b>Proximity to Water and Sewer</b>	The site will be served by public water and public sanitary sewer.		
<b>Stormwater/ Drainage</b>	No known issues		
<b>Watershed and Overlay Districts</b>	The subject property is not located within a water supply watershed.		
<b>Historic, Natural Heritage and/or Farmland Inventories</b>	<p>Located on a portion of the site, at 200 Brookstown Avenue, is the Brookstown Mill. The property was individually listed on the National Register of Historic Places in 1977 and as a Forsyth County Local Historic Landmark in 1981. Known also as the Fries Mill Complex, Brookstown Mill is the former Salem Cotton Manufacturing Company and Arista Cotton Mill. The Mill is highly significant as the oldest physical reminder of the textile industry in Winston-Salem. Completed in 1836, the Salem Cotton Manufacturing Company was organized and built by members of the Moravian congregation in Salem. In 1880, the F. &amp; H. Fries Cotton Arista Mills constructed the second major building in the complex. The Fries Mill Complex played a significant role in the industrial revolution, and is an important reminder of the achievements of the Fries family to the development and growth of Winston-Salem. Historic Resources staff believes the proposed rezoning from GB to PB is more in keeping with the character of the area and more appropriate for the continued adaptive reuse of this highly significant historic property. The street running between Brookstown Mill and the building to the east is of historic significance. Starting out as New Street, it was renamed in 1837 when Brookstown Mill was constructed. The entire stretch is one of the City's earliest and most historic streets due to its strong connection to the Brookstown Mill industrial complex.</p>		
<b>Analysis of General Site Information</b>	Staff views the subject property as being appropriate for PB zoning.		

<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
Brookstown Avenue	Minor Thoroughfare	+/- 607 feet (total frontage on both sides)	2,369	14,600
Cherry Street	Minor Thoroughfare	+/- 503 feet	4,851	12,700
Factory Row	Local Road	+/- 754 feet (total frontage on both sides)	NA	NA
<b>Proposed Access Point(s)</b>	Since this is a general use request, the exact location of access points is unknown.			
<b>Planned Road Improvements</b>	The Thoroughfare Plan recognizes Brookstown Avenue and Cherry Street as adequate, but does recommend sidewalks along Cherry Street.			
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: GB &amp; GI</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>			
<b>Sidewalks</b>	Sidewalks exist along both sides of Brookstown Avenue.			
<b>Transit</b>	Multiple transit routes are located within this area.			
<b>Traffic Impact Study (TIS)</b>	Not required			
<b>Analysis of Site Access and Transportation Information</b>	Staff does not anticipate any negative transportation impacts from this request.			
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>				
<b>Legacy GMA</b>	GMA 1 (City/Town Centers)			
<b>Relevant Legacy Recommendations</b>	<p><i>Legacy</i> recommends that retail and office buildings should be near the street and sidewalk. This reduces the distance pedestrians and transit users have to travel and provides direct access to buildings along the street. Locating buildings close to the street, lining the street with trees, buffering the street with parked cars, ensuring buildings have display windows at the sidewalk edge all provide an interesting walking environment where pedestrians feel a sense of activity, enclosure and safety. Parking should be located to the rear and sides or under retail and office buildings.</p>			
<b>Relevant Area Plan(s)</b>	<i>South Central Area Plan (2003)</i>			

<b>Greenway Plan Information</b>	The City's Strollway, North Carolina's first rail to trail conversion and which runs north-south from downtown to Old Salem and the Southeast Gateway, is located east of the subject property. South of Brookstown Avenue, the Strollway is adjacent to the site.					
<b>Area Plan Recommendations</b>	The Brookstown/Marshall Neighborhood Activity Center (NAC) serves the visitor population generated by Old Salem and the existing hotels, as well as the neighborhoods of Old Salem, West Salem and Holly Avenue. The focus of the area should be as a tourist/visitor center. Efforts should be undertaken to assure the area also provides reasonable services for surrounding residential and institutional needs. Existing historic buildings should be retained and adaptively reused for new uses. Links to downtown (particularly pedestrian) should be further strengthened and beautified. Needed uses include: ATM/Financial, Copy Center, Specialty food and Specialty retail shops.					
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(3) - Have changing conditions substantially affected the area in the petition?</b>					
	No					
	<b>(S)(4) - Is the requested action in conformance with <i>Legacy</i>?</b>					
Yes						
<b>Analysis of Conformity to Plans and Planning Issues</b>	The subject property is located in GMA 1 and currently zoned GB and GI. Staff believes that the proposed PB zoning is more appropriate for the subject property than the current zoning. The PB district allows more flexibility in design by allowing buildings to be pulled up to the street, minimal setbacks, and a reduction in required parking. Staff views this request as being consistent with the recommendations of <i>Legacy</i> and the <i>South Central Area Plan</i> .					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2623	GB to PB	Approved 6/2/03	West	1.12	Approval	Approval
W-2383	HB & LI to PB-S	Approved 5/1/00	South	4.71	Approval	Approval
W-2262	LI to GB	Approved 10/5/98	South	1.16	Approval	Approval
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Section 2-1.3(F) PB District</li> </ul>					
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>	<b>(A) <i>Legacy</i> policies:</b>		Yes			
	<b>(B) <i>Environmental Ord.</i></b>		NA			
	<b>(C) Subdivision Regulations</b>		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 Central Area Plan</i> .	Since this is a general use request, it is unknown how the site may be developed.
PB zoning is more appropriate for this site than GB or GI zoning.	
PB zoning is consistent with the building pattern existing on-site.	

**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.**

Aaron King presented the staff report.

**PUBLIC HEARING**

FOR:

Lee French, Old Salem, 600 S. Main Street, Winston-Salem, NC 27108

- We at Old Salem are wildly excited about new development we see downtown and through the Historic District and even through the Southeast Gateway.
- We don't know what we're getting. However, the architect and developer say it will be a terrific project.
- After 57 years and \$128M investment in the Historic District, we would like to be part of the conversation as this project comes into being and is presented to you.
- We are terrifically supportive of this project. We would just like to know what it is.

Don Angell, 2828 Club Park Road, Winston-Salem, NC 27104

- We do have some architectural plans which we plan to submit to staff.

(NOTE: General Use zoning requests are not allowed to have site plans or details about uses as part of the consideration. See work session discussion below.)

- I have some people with me who can help answer questions.
- Approximately four years ago we bought the Brookstown Inn. We've been very happy with being this close to downtown and the Historic area.
- I have tried to do quality projects that enhance the community and I will do the same with this development.

## AGAINST:

John Larson, 448 Factory Row, Winston-Salem, NC 27101

- I came to Winston-Salem in 1976. One of my first jobs was after a demolition permit was issued for Brookstown Mill. There was a group of preservationists who thought the building was worth saving. Fortunately there were people like Don Angell who could see beyond an empty warehouse and the clutter associated with an abandoned and derelict part of town and invested in that part of town.. Since that time, that building has been named to the National Register and won a variety of awards. It has continued to foster development around it just as Old Salem has.
- PB zoning could certainly streamline, simplify, and make this a more efficient site. I'm certainly not against that.
- What concerns me is "What is the plan and how do we know that it's going to be followed?"
- As an intensely used area, there are a variety of stakeholders in this area who should be included in discussions about this design.
- Under PB general use, there is no design control after it leaves here.
- There will certainly be a terrific team working on it, but after it leaves here, there will be no control and such an intense commercial site should have a site plan and intense review.
- A site plan would ensure a specific product at the end of the road and remove the uncertainty of this complex area. I'm just asking for special use so we can be involved and see what is going to happen.

Eric Kurchner, Children's Museum, 309 S. Liberty Street, Winston-Salem, NC 27101

- I am the Executive Director of the Children's Museum which is an adjacent property owner to this request. We are very excited about this proposal, but simply want to see what is planned before it is approved.

## **WORK SESSION**

During discussion by the Planning Board, the following points were made:

1. Paul Norby: As we deal with general use zoning, we cannot deal with details about site layout or limitations on uses. We have to consider the full range of uses before you. For the record, there is a wide array of uses allowed in both the PB zone that is being requested and the GB zone that it is currently in. Uses which are currently allowed due to the GB zoning, but would not be allowed under the proposed PB zoning, include: Fuel Dealer; Implement Sales; Wholesale Trade A; Adult Establishment; Car Wash; Kennel; Body or Paint Shop; Storage Yard; Storage Services, Retail; Animal Shelter; Cemetery; Construction and Demolition Landfill; and Manufacturing A. Conversely, if this request is approved, the new uses allowed would include: Adult Day Care Home; Child Day Care, Small Home; Residential Building, Duplex; Residential Building, Single Family; and Residential Building, Twin Home. The question was raised as to why this wasn't a special use district request. There is very little special use district zoning in this area. The question before the Planning Board is whether GB or PB zone is best for this site. If you feel strongly that this needs to be a

special use district request, your only option would be to recommend denial which would leave the GB district zoning in place. It is perfectly appropriate that the petitioner and neighbors meet and discuss the plans, but whatever is said here is not information on which the public body can rely.

2. Clarence Lambe: We're getting a free down-zone. We are not an architectural review committee.
3. Carol Eickmeyer: When Ed McMahan was here, one of the things he said to us was that we need to have a list of what we thought were our features that set us apart from other communities. Old Salem certainly sets us apart and would be on one of our protected lists. I think it's highly appropriate to question why special use district zoning wasn't sought when there appears to be a specific plan as to how the property will be used.
4. Carol Eickmeyer: I will be voting against this because I feel very strongly that this area constitutes one of our very significant differences between Greensboro or anyplace else and when we have the opportunity on an edge to preserve that, we need to be bold and require that.

MOTION: Clarence Lambe moved approval of the zoning map amendment.

SECOND: Brenda Smith

VOTE:

FOR: Jerry Clark, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Brenda Smith

AGAINST: Carol Eickmeyer

EXCUSED: None

Written Comments Submitted by Planning Board Members:

Carol Eickmeyer: Against - because we should hold development in or near our culturally sensitive areas to higher standards - site plans, use limits are the few tools that we have to preserve the character of our community.

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A. Paul Norby, FAICP  
Director of Planning