



DOCKET #: W2972

PROPOSED ZONING:
PB

EXISTING ZONING:
GB, LI, and PB-S

PETITIONER:
Goler Community Development Corporation et al, for property owned by Same

SCALE: 1" represents 300'

STAFF: King

GMA: 1 & 2

ACRES: 3.78

NEAREST BLDG: 30' south

MAP(S): 630858

F

March 26, 2008

Goler Community Development Corporation
Victory Financial Union, LLC
Goler-Depot Street Renaissance Corporation
c/o Evon Smith, Executive Director
889 North Liberty Street
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-2972

Dear Ms. Smith:

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

ACTION REQUEST FORM

DATE: March 26, 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 Goler Community Development Corporation, Victory Financial Union, LLC, and Goler-Depot Street Renaissance Corporation

SUMMARY OF INFORMATION:

Zoning map amendment of Goler Community Development Corporation, Victory Financial Union, LLC, and Goler-Depot Street Renaissance Corporation from GB, LI, and PB-S to PB: property is located on the northwest, southwest, and southeast corners of Martin Luther King, Jr. Drive and Chestnut Street (Zoning Docket W-2972).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Goler Community Development Corporation, Victory Financial Union, LLC, and Goler-Depot Street Renaissance Corporation, Docket W-2972

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, LI, and PB-S (@DAVE - NEED THESE USES, PLEASE) to PB the zoning classification of the following described property:

Tax Lots 101, 304B, and 305, Tax Block 202 and Tax Lots 106, 108, 109, 110D, 110F, 111B, 201, 202, 206D, and 207B, Tax Block 203

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-2972
Staff	Aaron King
Petitioner(s)	Goler Community Development Corporation, Victory Financial Union, LLC, and Goler-Depot Street Renaissance Corporation
Owner(s)	Same
Subject Property	Tax Lots 101, 304B, and 305, Tax Block 202 and Tax Lots 106, 108, 109, 110D, 110F, 111B, 201, 202, 206D, and 207B, Tax Block 203
Type of Request	General use rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from GB (General Business); LI (Limited Industrial); and PB-S (Pedestrian Business – Special Use Two-Phase Zoning) to PB (Pedestrian 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	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.
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 PB district purpose statement mentions accommodating “the pattern of building in the business concentrations surrounding the central core of Winston-Salem.” The subject request is consistent with this statement as the property is located on the periphery of downtown Winston-Salem.</p>
GENERAL SITE INFORMATION	
Location	Northwest, southwest, and southeast corners of Martin Luther King, Jr. Drive and Chestnut Street
Jurisdiction	City of Winston-Salem
Ward(s)	East
Site Acreage	Approximately ± 3.78 acres
Current Land Use	Vacant land

Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	GB	Various commercial uses
	East	CI	Downtown Health Plaza; funeral home
	South	PB	Goler Memorial A.M.E. Zion Church
	West	PB-S, LI, GB	Residential uses; Lloyd Presbyterian Church
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 in an area composed of commercial and industrial zoning.		
Physical Characteristics	The subject property is relatively flat and does not contain any 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 site is not located within a water supply watershed.		
Historic, Natural Heritage and/or Farmland Inventories	<p>Known Historic Resources: None located directly on site; however there are properties located to the east, west, and south of the site</p> <p>Forsyth County Architectural Inventory Number/Name: Directly adjacent historic properties are as follows: A. Robinson Building (707-709 Patterson Ave.), W.C. Brown Apartment Building (311-317 E. 7th St.), Lloyd Presbyterian Church (748 Chestnut St.), Craver Apartment Building (706-712 Chestnut St.), Goler Memorial A.M.E. Zion Church (630 Patterson Ave.)</p> <p>Known Forsyth County Archaeological Site/Number: N/A</p> <p>National Register of Historic Places: Yes, 5 individual properties, directly adjacent to the east, west, and south of the site are listed on the National Register (see above)</p> <p>Local Historic Landmark: Lloyd Presbyterian Church, located directly across Chestnut Street to the west, is a Local Historic Landmark</p> <p>Historic District: No</p> <p>Comments: This site, while itself not possessing historic resources, is located in the midst of several properties listed on the National Register of Historic Places. These buildings were placed on the National Register as part of Winston-Salem's comprehensive African-American Historic Resources project, completed in the 1990s. The overall area was key to African-American life in the late 19th century. Depot Street (today's Patterson Avenue) was initially developed as a result of its proximity to tobacco factories, and in the early 20th century was <u>the</u> business, cultural, and social hub of the African-American community. Additionally, located in close proximity to the site are the P.H. Hanes Knitting</p>		

	Company buildings (National Register-listed; 2 Local Historic Landmark designations) and the Downtown North National Register Historic District.			
Analysis of General Site Information	The subject property currently contains a mixture of two zoning districts (GB & LI) and a PB-S Two-Phase zoning. Currently, a wide range of intense uses could be developed on the GB and LI portions of the site. The existing PB-S Two-Phase zoning is basically a blank-slate site plan that does not show any proposed building locations or site design features. The site is currently undeveloped and contains a relatively flat topography that is conducive for development. Given the site's proximity to historically significant properties, staff would encourage the petitioner to develop the site in a way that is sensitive to the unique character of the surrounding area. Staff believes that general use PB zoning is appropriate for the subject property, given the PB district requirements, and the consistency with the adopted <i>Downtown Plan</i> .			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Martin Luther King Jr. Drive	Major Thoroughfare	+/- 561 feet (total)	1,211	26,900
Patterson Avenue	Minor Thoroughfare	+/- 498 feet	5,182	16,100
Liberty Street	Minor Thoroughfare	+/- 296 feet	2,177	26,900
Seventh Street	Minor Thoroughfare	+/- 245 feet	681	16,100
Chestnut Street	Local Road	+/- 561 feet	NA	NA
Proposed Access Point(s)	Since this is a general use rezoning request, the exact location of access points is unknown.			
Planned Road Improvements	The Thoroughfare Plan recommends that Liberty Street be constructed as a two lane cross section with combined parking and bike use with sidewalks.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning</u> Staff is unable to determine the trip generation for existing general use and two-phase zoning.</p> <p><u>Proposed Zoning</u> Staff is unable to determine the trip generation for general use zoning.</p>			
Sidewalks	Sidewalks exist along the streets adjoining the subject property.			
Transit	Multiple transit routes run in this area.			
Traffic Impact Study (TIS)	Not required			
Analysis of Site Access and Transportation Information	Staff does not anticipate any negative transportation issues with this request.			

CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA		GMA 1 (City/Town Centers) and GMA 2 (Urban Neighborhoods)				
Relevant Legacy Recommendations		<ul style="list-style-type: none"> Promote compact, pedestrian-oriented neighborhoods that contain a mixture of residential and commercial buildings, public spaces and amenities, and offer a variety of transportation options. 				
Relevant Area Plan(s)		<i>Downtown Plan</i> (revised 2007)				
Area Plan Recommendations		<ul style="list-style-type: none"> The proposed development site is in the Goler Heights mixed-use district. The plan notes this area as one of the walkable districts surrounding the core of downtown. 				
Redevelopment Plans		<p>Certified Area/Name: Liberty-Patterson Redevelopment Area Type of Certification: A Non-Residential Redevelopment Area, certified January 27, 2000 Redevelopment Recommendation(s): The Redevelopment Plan was first adopted on April 17, 2000. On August 4, 2004, the Plan was amended for properties in the Goler area, including the subject property. The objective of the amendment was to allow greater flexibility in land use and zoning to achieve a mix of urban uses, consistent with the <i>Downtown Plan</i> and the Goler CDC's own strategic development plan. The recommended land use for the area is Urban Mixed Use and the proposed zoning is an Urban Mixed Use District, defined as PB, PB-S or MU-S.</p>				
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; the area is being planned and developed as an urban, mixed-use district complementary to downtown and the adjacent Piedmont Triad Research Park.				
		(S)(4) - Is the requested action in conformance with Legacy?				
		Yes				
Analysis of Conformity to Plans and Planning Issues		The subject request is consistent with the recommendations of <i>Legacy</i> and the <i>Downtown Plan</i> . <i>Legacy</i> mentions "promoting compact, pedestrian-oriented neighborhoods that contain a mixture of residential and commercial buildings, public spaces and amenities, and offer a variety of transportation options." Staff believes that the PB district is an appropriate district to facilitate this type of compact, pedestrian-oriented design. The recommendations of the <i>Downtown Plan</i> reinforce this style of development. Staff believes that this request is consistent with other rezonings that have been requested along the periphery of downtown Winston-Salem. The PB district serves as a suitable transition from the CB zoning which is present in the core of downtown Winston-Salem.				
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2892	LI to PB	Approved 11/6/06	North	1.8	Approval	Approval

W-2831	LI to PB	Approved 2/6/06	West	0.67	Approval	Approval
W-2709	LI to PB	Approved 8/2/04	South and west	0.71	Approval	Approval
W-2694	LI to PB-S	Approved 6/7/04	West	0.62	Approval	Approval
W-2674	LI to PB	Approved 3/1/04	West	1.76	Approval	Approval
W-2379	LI to PB-S TWO-PHASE	Approved 4/3/00	Includes portion of subject property	1.8	Approval	Approval
UDO Sections Relevant to Subject Request		<ul style="list-style-type: none"> Section 2-1.3(F) PB 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 in conformance with <i>Legacy</i> and the <i>Downtown Plan</i> .			There is no assurance that the subject property will be developed with sensitivity to the surrounding historically-significant properties.			
The PB district allows more flexibility in site design.						
Traffic impacts should be minimal.						
The request is consistent with other rezonings that have been recently approved in the surrounding area.						

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

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

1. Carol Eickmeyer asked why this did not come in as Limited Use in light of the historic entities surrounding this site? Staff responded that the general use category has served well in this part of the community because of Goler's master plan which had City input and that PB standards would ensure the type of development preferred for this area while allowing the flexibility that isn't available with PB-S, GB and LI which currently exist.

MOTION: Paul Mullican moved approval of the zoning map amendment.

SECOND: Clarence Lambe

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