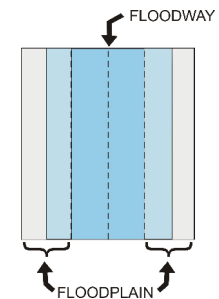


**DOCKET #:** W2985

**PROPOSED ZONING:**  
LI-S Two-Phase

**EXISTING ZONING:**  
LI-S

**PETITIONER:**  
State of North Carolina  
for property owned by  
Same



**SCALE:** 1" represents 400'

**STAFF:** Roberts

**GMA:** 2

**ACRES:** 8.16

**NEAREST  
BLDG:** 5'

**MAP(S):** 624870

**F**

June 25, 2008

State of North Carolina  
c/o William Ratterree  
1525 Mail Service Center  
Raleigh, NC 27699-1525

RE: ZONING MAP AMENDMENT W-2985

Dear Mr. Ratterree:

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:** June 25, 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 the State of North Carolina

**SUMMARY OF INFORMATION:**

Zoning map amendment of the State of North Carolina from LI-S (Building Contractor, Heavy; Government Office; Offices, Miscellaneous; Professional Office; and Motor Vehicle, Repair and Maintenance) to LI-S (Building Contractor, Heavy; Government Office; Offices, Miscellaneous; Professional Office; and Motor Vehicle, Repair and Maintenance – TWO PHASE): property is located on the northeast corner of Polo Road and Cherry Street (Zoning Docket W-2985).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - SPECIAL USE

Zoning Petition of the State of North Carolina, Docket W-2985

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 LI-S (Building Contractor, Heavy; Government Office; Offices, Miscellaneous; Professional Office; and Motor Vehicle, Repair and Maintenance) to LI-S (Building Contractor, Heavy; Government Office; Offices, Miscellaneous; Professional Office; and Motor Vehicle, Repair and Maintenance – TWO PHASE) the zoning classification of the following described property:

PIN# 6827-73-1106

Section 2. This Ordinance is adopted after approval of the site plan entitled NCDOT and identified as Attachment "A" of the Special Use District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_ to the State of North Carolina.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as NCDOT. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of the State of North Carolina, (Zoning Docket W-2985). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for LI-S (Building Contractor, Heavy; Government Office; Offices, Miscellaneous; Professional Office; and Motor Vehicle, Repair and Maintenance – TWO PHASE), approved by the Winston-Salem City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_" and signed, provided the property is developed in accordance with requirements of the LI-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF ANY PERMITS**
  - a. Developer shall obtain a Land Disturbing Permit from the NCDENR.
  
- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  - a. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department.
  - b. Developer shall obtain a driveway permit from the City of Winston-Salem Public Works Department; additional improvements may be required.
  
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. An engineered lighting plan shall be submitted to Inspections for the proposed lighting demonstrating the use of full-cut off fixtures, light height @ 25' or less and no more than 0.5 foot-candles at the property line.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Any damage to City maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the Public Works Department.
  - b. Lighting shall be installed per approved lighting plan and certified by an engineer.
  - c. All requirements of the Winston-Salem driveway permit be completed.
  - d. Proposed vinyl coated chain link fence shall be in substantial compliance with Exhibit A.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>			
<b>Docket #</b>	W-2985		
<b>Staff</b>	<a href="#">Gary Roberts Jr., AICP</a>		
<b>Petitioner(s)</b>	State of North Carolina		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	PIN# 6827-73-1106		
<b>Type of Request</b>	Special Use TWO PHASE rezoning		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> LI-S Limited Industrial District (Building Contractor, Heavy; Government Office; Offices, Miscellaneous; Professional Office; and Motor Vehicle, Repair and Maintenance) <b>to</b> LI-S Limited Industrial District (Building Contractor, Heavy; Government Office; Offices, Miscellaneous; Professional Office; and Motor Vehicle, Repair and Maintenance –TWO PHASE). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Building Contractor, Heavy; Government Office; Offices, Miscellaneous; Professional Office; and Motor Vehicle, Repair and Maintenance</li> </ul>		
<b>Zoning District Purpose Statement</b>	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 Metro Activity Centers.		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	The subject property is currently zoned LI-S and the proposed LI-S TWO-PHASE request is consistent with the purpose statement.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	Northeast corner of Polo Road and North Cherry Street		
<b>Jurisdiction</b>	City of Winston-Salem		
<b>Ward(s)</b>	North		
<b>Site Acreage</b>	Approximately ± 8.16 acres		
<b>Current Land Use</b>	There is one warehouse and one office building which were recently constructed on the eastern portion of the site.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	LI	NCDOT maintenance and a prison facility
	East	HB	Multi tenant retail establishment

	South	HB-S & HB	Undeveloped property and warehouse	
	West	HB	Convenience store and building contractors establishment	
<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			
<b>Physical Characteristics</b>	The site has a gentle slope downward to the northwestern section of the site. A small amount of vegetation is present on the northwestern corner.			
<b>Proximity to Water and Sewer</b>	Public water and sewer is available.			
<b>Stormwater/ Drainage</b>	A stormwater study will be required prior to the issuance of a grading permit.			
<b>Analysis of General Site Information</b>	The site possesses no known constraints and appears to be suitable for the proposed improvements.			
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b> <ul style="list-style-type: none"> <li>• Stormwater study</li> <li>• Land disturbing permit to be issued by NCDENR</li> </ul>			
<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>
North Cherry Street	Major Thoroughfare	705'	9,650 (avg count)	26,900
Polo Road	Minor Thoroughfare	684'	6,500	18,500
<b>Proposed Access Point(s)</b>	The site plan proposes two access points onto Polo Road. The site would also have a driveway directly off site to the north onto Craft Drive.			
<b>Planned Road Improvements</b>	The Thoroughfare Plan recommends sidewalks along North Cherry Street.			
<b>Trip Generation - Existing/Proposed</b>	<u>Existing Zoning: LI-S</u> 55,671 / 1,000 x 6.97 (General Light Industrial Trip Rate) =388 Trips per Day  <u>Proposed Zoning: LI-S TWO-PHASE</u> Trip generation numbers cannot be determined with TWO- PHASE zoning			
<b>Sidewalks</b>	There is an existing sidewalk located along the Polo Road frontage of the site. The proposed site plan also includes a sidewalk located along the North Cherry Street frontage of the site.			
<b>Transit</b>	Route 4 along North Cherry Street			



<b>Analysis of Site Access and Transportation Information</b>	The site has adequate access and there appears to be no transportation issues.
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b> <ul style="list-style-type: none"> <li>• Driveway permit from the City of Winston-Salem</li> </ul>
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	Growth Management Area 2, Urban Neighborhoods
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>• <i>Industrial Development</i>: Stimulate redevelopment and increased economic activity on abandoned industrial and brownfield sites and in other areas of Forsyth County which have become less economically attractive.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>North Suburban Area Plan (2005)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• <u>Activity Centers - Polo Road/Cherry Street Neighborhood Activity Center</u> While needing significant reinvestment, the intersection of Polo Road and Cherry Street presents an interesting opportunity for the creation of a pedestrian-friendly NAC in an otherwise automobile-oriented section of the North Suburban Planning Area. Currently, the southeast and southwest corners of this intersection each have a building pulled up to the street to help create the beginnings of a pedestrian-scale environment. A gas station is currently located on the northwest corner of the intersection, but while the gas station primarily serves automobile traffic, it is designed on a scale that can easily facilitate pedestrian traffic. Furthermore, the northeast corner of this intersection is currently vacant (it is owned by the State of North Carolina), presenting a viable opportunity for new pedestrian-friendly commercial development that can serve as a catalyst for the revitalization of this intersection. Rather than just introducing commercial development at this intersection, a mixed-use redevelopment of the area which vertically mixes commercial and residential uses in the same buildings could potentially create a thriving neighborhood providing services to nearby residents and Wake Forest University students—a population currently underserved by walkable or bikable off-campus commercial and retail establishments. (p.38)</li> </ul>
<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 Legacy?</b>
	See comments below

<b>Analysis of Conformity to Plans and Planning Issues</b>	<p><i>Legacy</i> recommends redevelopment and increased economic activity on abandoned industrial and brownfield sites and in other areas of Forsyth County which have become less economically attractive. While the subject property is currently zoned LI-S, the request will give some additional flexibility to the site design and building configuration which may expedite the redevelopment of the property.</p> <p>The property is located within the <i>North Suburban Area Plan (NSAP)</i>. Considering the relatively large size of the site, as well as its corner location, proximity to Wake Forest University and previously undeveloped nature, the <i>NSAP</i> recommends a mixed-use redevelopment of the site. However, since said area plan was adopted, the site has been partially developed in accordance with the approved LI-S site plan.</p> <p>The approved site plan (W-2708) includes a combination of berming, decorative fencing and a decorative precast wall (with artwork), to screen the industrial nature of the site along its frontage on Polo Road and North Cherry Street. This streetscape treatment far exceeded the minimum required 10' Streetyard and would add considerable cost to the development of the site. The proposed plan retains some of the berming and substitutes a black vinyl coated chain link fence for the decorative wall and fencing. Again, this is in addition to the streetyard requirement. The proposed site plan also includes some internal reconfigurations of the parking and building area along with a portion of the site being TWO-PHASE. Staff is supportive of the proposed changes.</p>						
	<b>RELEVANT ZONING HISTORIES</b>						
	<b>Case</b>	<b>Request</b>	<b>Decision &amp; Date</b>	<b>Direction from Site</b>	<b>Acreeage</b>	<b>Recommendation</b>	
						<b>Staff</b>	<b>CCPB</b>
W-2708	HB to LI-S	Approved 11-1-04	Current site	8.16	Denial	Approval	
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>							
<b>Building Square Footage</b>	<b>Square Footage</b>			<b>Placement on Site</b>			
	9,259sf			Various locations			
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>		<b>Layout</b>			
	23 spaces	108 spaces		Various locations			
<b>Building Height</b>	<b>Maximum</b>			<b>Proposed</b>			
	70'			29'			
<b>Impervious Coverage</b>	<b>Maximum</b>			<b>Proposed</b>			
	90%			42.5%			
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Chapter B, Article II, Section 2-1.4 (A) Limited Industrial District</li> </ul>						
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>	<b>(A) Legacy policies:</b>			Yes			
	<b>(B) Environmental Ord.</b>			NA			
	<b>(C) Subdivision Regulations</b>			NA			

<b>Analysis of Site Plan Compliance with UDO Requirements</b>	It is anticipated that a revised site plan will be submitted which meets the requirements of the UDO.
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>	
<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The special use request maintains some of the use limitations and streetscape elements included on the approved site plan.	The request does not include all of the building placement and streetscape elements included on the approved site plan.
<b>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</b>	
<p>The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.</p> <ul style="list-style-type: none"> <li>• <b><u>PRIOR TO THE ISSUANCE OF ANY PERMITS</u></b> <ul style="list-style-type: none"> <li>a. Developer shall obtain a Land Disturbing Permit from the NCDENR.</li> </ul> </li> <li>• <b><u>PRIOR TO THE ISSUANCE OF GRADING PERMITS</u></b> <ul style="list-style-type: none"> <li>a. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department.</li> <li>b. Developer shall obtain a driveway permit from the City of Winston-Salem Public Works Department; additional improvements may be required.</li> </ul> </li> <li>• <b><u>PRIOR TO THE ISSUANCE OF BUILDING PERMITS</u></b> <ul style="list-style-type: none"> <li>a. An engineered lighting plan shall be submitted to Inspections for the proposed lighting demonstrating the use of full-cut off fixtures, light height @ 25' or less and no more than 0.5 foot-candles at the property line.</li> </ul> </li> <li>• <b><u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS</u></b> <ul style="list-style-type: none"> <li>a. Any damage to City maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the Public Works Department.</li> <li>b. Lighting shall be installed per approved lighting plan and certified by an engineer.</li> <li>c. All requirements of the Winston-Salem driveway permit be completed.</li> <li>d. Proposed vinyl coated chain link fence shall be in substantial compliance with Exhibit A.</li> </ul> </li> </ul>	

**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: Clarence Lambe moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions including the following two conditions under "Prior to the Issuance of Occupancy Permits", 1) "c. All requirements of the Winston-Salem driveway permit shall be completed." and 2) "d. The proposed fence should be in substantial compliance with exhibit A."

SECOND: Jerry Clark

VOTE:

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

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning

