DOCKET #: W2780
EXISTING ZONING: LI
PROPOSED ZONING: GB
PETITIONER: Marshall E. Rowell and Deborah M. Rowell for property owned by Same

SCALE: 1" represents 400'
STAFF: King
GMA: 3
ACRE(S): 1.13
MAP(S): 606846
July 20, 2005

Marshall E. Rowell and Deborah M. Rowell  
142 Isleworth Drive  
Advance, NC 27006

RE: ZONING MAP AMENDMENT W-2780

Dear Mr. & Ms. Rowell:

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, AICP  
Director of Planning

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102  
Robert D. Richardson, P.O. Box 24533, Winston-Salem, NC 27114
<table>
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<tr>
<th>ACTION REQUEST FORM</th>
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<tr>
<td><strong>DATE:</strong> July 20, 2005</td>
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<tr>
<td><strong>TO:</strong> The Honorable Mayor and City Council</td>
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<tr>
<td><strong>FROM:</strong> A. Paul Norby, AICP, Director of Planning</td>
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<th>COUNCIL ACTION REQUEST:</th>
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<tr>
<td>Request for Public Hearing on Zoning Map Amendment of Marshall E. Rowell and Deborah M. Rowell</td>
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<tr>
<th>SUMMARY OF INFORMATION:</th>
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<tr>
<td>Zoning Map Amendment of Marshall E. Rowell and Deborah M. Rowell from LI to GB: property is located on the north side of Hanes Mall Boulevard west of I-40 (Zoning Docket W-2780).</td>
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<th>PLANNING BOARD ACTION:</th>
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<tr>
<td><strong>MOTION ON PETITION:</strong> APPROVAL</td>
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<td><strong>FOR:</strong> UNANIMOUS</td>
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<td><strong>AGAINST:</strong> NONE</td>
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<td><strong>SITE PLAN ACTION:</strong> NOT REQUIRED</td>
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CITY ORDINANCE - GENERAL USE

Zoning Petition of Marshall E. Rowell and Deborah M. Rowell, Docket W-2780

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 3904      Tax Lots 403, 439, and 440

Section 2. This ordinance shall become effective upon adoption.
ZONING STAFF REPORT

DOCKET #  W-2780
STAFF:  Aaron King

Petitioner(s):  Marshall E. Rowell and Deborah M. Rowell
Ownership:  Same

REQUEST

From:  LI  Limited Industrial District
To:  GB  General Business District

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

NOTE:  This is a general use zoning petition; therefore, ALL uses permitted in the above requested district should be considered.

Acreage: 1.13

LOCATION:

Street:  North side of Hanes Mall Boulevard west of I-40
Jurisdiction:  City of Winston-Salem
Ward:  Southwest

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site:  Currently, the subject property contains the Casual Furniture World store.
Adjacent Uses:
  North-  Ian’s Body Shop and undeveloped land; zoned GB
  East-  I-40
  South-  Movie theater and other commercial uses; zoned HB-S
  West-  Carmax dealership; zoned GB

GENERAL AREA

Character/Maintenance:  Well-maintained mixture of commercial uses.
Development Pace:  Rapid
**HISTORY**

Relevant Zoning Cases:

1. W-2573; LI to HB; approved September 3, 2002; north of Hanes Mall Boulevard east of Jonestown Road; 0.98 acre; Planning Board and staff recommended approval.

2. W-2368; HB-S to Site Plan Amendment; approved February 7, 2000; south side of Kester Mill Road and northwest side of I-40 between Hanes Mall Boulevard and Jonestown Road; 23.47 acres; Planning Board recommended approval.

3. W-2053; RS-9 and HB-S to HB-S (Multiple Commercial Uses); southwest corner of Hanes Mall Boulevard and I-40 and at the southeast corner of Will Oliver Road/Char Lou Lane/Kester Mill Road Extension; 36.09 acres; Planning Board and staff recommended approval.

4. W-1792; R-4 to I-2; approved November 2, 1992; northeast side of Hanes Mall Boulevard northwest of I-40 (current site); 0.60 acre; Planning Board recommended approval, staff recommended denial.

**PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Because it is a general use petition, the impact of this proposal to the site’s existing physical features cannot be determined at this time.

Topography: The subject property is relatively flat.

Streams: None noted.

Vegetation/habitat: The subject property contains little vegetation.

**TRANSPORTATION**

Direct Access to Site: Hanes Mall Boulevard

Street Classification: Major Thoroughfare

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

<table>
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<tr>
<th>Street Segment</th>
<th>Traffic Count</th>
<th>Capacity</th>
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<tr>
<td>Hanes Mall Boulevard between Westgate Center Drive and Jonestown Road</td>
<td>= 14,000</td>
<td>16,100</td>
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Planned Road Improvements/Thoroughfare Plan: The Thoroughfare Plan calls for Hanes Mall Boulevard to be constructed as a four-lane cross section with bicycle and pedestrian accommodations.

Sight Distance: Good

Sidewalks: None existing

Transit: Route 43 (Westside Connector) runs along Hanes Mall Boulevard.

**CONFORMITY TO PLANS**

Growth Management Plan Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): *Legacy* encourages the appropriate expansion of existing businesses.
Area Plan/Development Guide: *South Stratford Road Development Guide*

Relevant Development Guide Recommendation(s): The site is located in an identified Activity Center in the *South Stratford Road Development Guide (1989)*.

**ANALYSIS**

The subject request would rezone 1.13 acres of property located on the north side of Hanes Mall Boulevard from LI to GB. The subject property is configured into two parcels, with the larger of the two containing the Casual Furniture World store. The surrounding area is composed of a mixture of well maintained commercial uses. The portion of the Vest Mill Road right-of-way adjacent to the subject property has been approved by the City Council to be closed. A portion of the abandoned right-of-way will revert back to the subject property as a result of this road closure.

The subject property was originally rezoned from R-4 to I-2 in 1992, and during the UDO conversion in 1995 was classified as LI. The LI zoning classification is not consistent with the surrounding commercial areas along Hanes Mall Boulevard. The majority of the properties fronting along Hanes Mall Boulevard are zoned either GB or HB-S with little, if any, industrial zoning present. This rezoning to GB would be more consistent with the surrounding areas. Under the existing LI zoning, a variety of industrial uses are permitted. Industrial uses are not desirable in this area. For these reasons, staff recommends approval of this request.

**FINDINGS**

1. The request would rezone 1.13 acres from LI to GB.
2. The rezoning to GB would be more consistent with the surrounding properties.
3. The majority of the property along Hanes Mall Boulevard is zoned GB or HB.

**STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Jerry Clark moved approval of the zoning map amendment.
SECOND: Paul Mullican
VOTE:
    FOR:  Clark, Curtis, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Smith
    AGAINST:  None
    EXCUSED:  None

_________________________________________
A. Paul Norby, AICP
Director of Planning