DOCKET #: W2730

PROPOSED ZONING:
GI-S (Parking, Commercial)

EXISTING ZONING:
GI-S (Motor Vehicle Storage Yard)

PETITIONER:
Goodwill Industries of Northwest NC, Inc, for property owned by Same

SCALE: 1" represents 400'

STAFF: Simmons

GMA: 3

ACRE(S): 1.90

MAP(S): 624870
October 20, 2004

Goodwill Industries of Northwest NC, Inc.
c/o Billy G. Whitaker
2701 University Parkway
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT W-2730

Dear Mr. Whitaker:

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
**ACTION REQUEST FORM**

<table>
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<th>DATE:</th>
<th>October 20, 2004</th>
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<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
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<tr>
<td>FROM:</td>
<td>A. Paul Norby, AICP, Director of Planning</td>
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**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of Goodwill Industries of Northwest NC, Inc.

**SUMMARY OF INFORMATION:**

Zoning map amendment of Goodwill Industries of Northwest NC, Inc. from GI-S (Motor Vehicle, Storage Yard) to GI-S (Parking, Commercial): property is located on the south side of Specialty Park Drive, west of North Cherry Street (Zoning Docket W-2730)

**PLANNING BOARD ACTION:**

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<th>MOTION ON PETITION:</th>
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<td>FOR:</td>
<td>UNANIMOUS</td>
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<tr>
<td>AGAINST:</td>
<td>NONE</td>
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<td>SITE PLAN ACTION:</td>
<td>CONFORMS</td>
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CITY ORDINANCE - SPECIAL USE

Zoning Petition of Goodwill Industries of Northwest NC, Inc., Docket W-2730

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 GI-S (Motor Vehicle, Storage Yard) to GI-S (Parking, Commercial) the zoning classification of the following described property:

Tax Block 3442, Tax Lot 6N

Section 2. This Ordinance is adopted after approval of the site plan entitled Goodwill Industries of Northwest NC, Inc. and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, to Goodwill Industries of Northwest NC, Inc.

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 Goodwill Industries of Northwest NC, Inc. 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 Goodwill Industries of Northwest NC, Inc., (Zoning Docket W-2730). 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 GI-S (Parking, Commercial), approved by the Winston-Salem City Council the _____ day of _____________________, 20____" and signed, provided the property is developed in accordance with requirements of the GI-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 GRADING PERMITS**
  a. Areas of existing vegetation to remain as shown on the site plan shall be cordoned off for protection.

- **OTHER REQUIREMENTS**
  a. Any lighting in excess of twelve (12) feet shall be of shoebox type or otherwise shielded not to cast direct light onto adjacent residential properties.
  b. No signs shall be permitted.
ZONING STAFF REPORT

DOCKET #  W-2730  
STAFF:       Glenn Simmons  

Petitioner(s):  Goodwill Industries of Northwest NC, Inc.  
Ownership:     Same  

REQUEST  

From: GI-S General Industrial District (Motor Vehicle Storage Yard)  
To:   GI-S General Industrial District (Parking, Commercial)  

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

Acreage: 1.9 acres  

LOCATION:  

Street: South side of Specialty Park Drive (private) west of North Cherry Street.  
Jurisdiction: City of Winston-Salem.  
Ward: North.  

SITE PLAN  

Proposed Use: Parking, Commercial.  
Square Footage: No structures are proposed.  
Parking: Required: 0; Proposed: 49.  
Bufferyard Requirements: Type IV bufferyard along south property line adjacent to RS-9 zoning.  
Vehicular Use Landscaping Standards Requirements: UDO standards shall apply.  

PROPERTY SITE/IMMEDIATE AREA  

Existing Structures on Site: Site is currently undeveloped however the site is currently cleared and graded for the previously approved parking lot.  
North- Developed business property zoned HB.  
East- Developed business property zoned HB.  
South- Developed single family residential property zoned RS-9.  
West- Undeveloped property zoned HB.
GENERAL AREA

Character/Maintenance: Primarily business uses in the area. Residential abutting subject property has very deep lots with substantial vegetation.
Development Pace: Moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Current site is largely cleared of vegetation except areas along the western and southern property lines reserved for wooded buffers.
Topography: The subject property’s elevation is about 951.2 feet and experiences little elevation change.
Streams: No streams are located on or near the subject property.
Vegetation/habitat: Current site is largely cleared of vegetation except areas along the western and southern property lines reserved for wooded buffers.
Floodplains: The subject property is not located in a floodplain.
Wetlands: None – Rural Hall Quad.
Natural Heritage Sites: None.
Farmland Preservation Sites: None.
Environmental Resources Beyond the Site: No properties beyond the site appear to be impacted.
Water Supply Watershed: The subject property is not located in a water supply watershed.

TRANSPORTATION

Direct Access to Site: Cherry Street; Polo Road.
Street Classification: Cherry Street – Major Thoroughfare; Polo Road – Minor Thoroughfare.
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
   Cherry Street between Polo Road and Brownsboro Road = 13,000/26,900
   Polo Road between University Parkway and Cherry Street = 7,700/16,100
Trip Generation/Existing Zoning: HB
   No trip generation rate available due to lack of existing development on the site.
Trip Generation/Proposed Zoning: GI-S
   No trip generation rate available for proposed use.
Planned Road Improvements: None.
Sight Distance: Good.
Traffic Impact Study recommended: No.
Sidewalks: None existing.
Transit: Route 4 along Cherry Street.
Bicycle Route: Route 19, Baux Mountain Connector, along Polo Road.

HISTORY

Relevant Zoning Cases:

1. W-2645; HB to LI-S (Moter Vehicle StorageYard); approved September 2, 2003; subject site; 1.9 acres; Planning Board and staff recommended approval.
2. W2559; LI to HB; approved August 15, 2002; north side of Polo Road across from Dalton Street; 1.84 acres; Planning Board and staff recommended approval.

3. W-2460; LI to HB; approved May 7, 2001; south side of North Point Boulevard east of Cherry Street; 3.49 acres; Planning Board and staff recommended approval.

4. W-2072; RS-9 to LI; approved August 5, 1996; north side of Craft Drive and southwest of Southern Railroad between Polo Road and Dellwood Drive; 0.35 acres; Planning Board recommended approval and staff recommended denial.

5. W-2071; HB to LI; approved August 5, 1996; south side of North Point Boulevard between Cherry Street and Indiana Avenue (along southwest side of Norfolk Southern railroad); 3.49 acres; Planning Board and staff recommended approval.

6. W-1762; I-2 and R-4 to B-3-S (Offices; Warehouses; Motor Vehicle Storage – TWO PHASE); approved May 4, 1992; south side of Polo Road and north of McCanless Street between Cherry Street and Dalton Street; 3.92 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (Legacy): Suburban Neighborhoods (GMA 3).
Relevant Comprehensive Plan Recommendation(s): Legacy recommends that existing residential areas be protected from inappropriate commercial and industrial encroachment.

ANALYSIS

The current request is to rezone 1.9 acres from GI-S (Motor Vehicle Storage Yard) to GI-S (Parking, Commercial). The site is located south of Specialty Park Drive (Private) and west of Cherry Street. The subject property is located in a second tier of properties removed from Cherry Street and is enveloped by HB zoning on three sides. Specialty Park Drive provides vehicular access to the site. Directly south of the subject property is developed RS-9 zoned residences. These residences have exceptionally long lots yielding the nearest home at approximately 300’ south of the subject property. These lots are also highly vegetated creating visual and sonic separation from the subject property.

The subject site was rezoned from HB to GI-S (Motor Vehicle Storage Yard) approximately one year ago to provide a parking area for Goodwill donation trailers and, occasionally, associated tractor rigs. The proposed parking area, 24,750 square feet, was initially thought to require GI zoning rather than the existing HB zoning in order to accommodate the UDO use classification of “Motor Vehicle Storage Yard”. Subsequently, based on more accurate and complete information from the petitioner, the Inspections Division has determined that “Parking, Commercial” is the more fitting use classification based on the finding that all storage vehicles are licensed and roadworthy. Most importantly, reclassification of the use will eliminate the need
for a minimum ten foot wide type I bufferyard between the Goodwill parking lot and adjacent properties zoned HB. This distinction is particularly important to Goodwill in their desire to make full use of the property for their trailer parking. Additionally, Goodwill has already prepared a rock base for pavement in an area along the east property line where the type I bufferyard would otherwise be required under the current “Motor Vehicle Storage Yard” classification. Ironically, “Parking, Commercial” is a use by right in the former HB zoning district whereby the current GI-S zoning would not have been required had the proper use classification been initially identified.

While Planning staff prefers the property be restored to its former HB zoning to make it consistent with other HB zoning in the area, Planning staff acknowledges the confusion associated with the former use classification and the associated site plan. Specifically, although the type I bufferyard was listed as a use condition on the approved site plan, the approved plan did not actually show a location for the buffer within the pavement area. This prompted Goodwill to proceed with grading and preparing a pavement base prior to the issuance of zoning permits. Given the complex and confusing circumstances surrounding this case, Planning staff supports the proposed exchange of uses within the current GI-S zoning classification.

**FINDINGS**

1. The property is currently zoned GI-S for a “Motor Vehicle Storage Yard”.

2. Subsequent information provided by the petitioner shows “Commercial Parking” as the more accurate and appropriate use classification.

3. The petitioner is requesting the new use to eliminate type I bufferyard requirements adjacent to HB zoning.

4. Grading and pavement preparation have been completed based on the current site plan which calls for a type I bufferyard, but was not shown graphically on the approved plan.

5. Planning staff acknowledges confusion regarding the site plan and supports the conversion of the use classification to “Commercial Parking”.

**STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

Site Plan: Staff certifies that the site plan meets all code requirements, and recommends the following conditions:

- **PRIOR TO GRADING PERMITS**
  a. Areas of existing vegetation to remain as shown on the site plan shall be cordoned off for protection.
• OTHER REQUIREMENTS
  a. Any lighting in excess of twelve (12) feet shall be of shoebox type or otherwise shielded not to cast direct light onto adjacent residential properties.
  b. No signs shall be permitted.

PUBLIC HEARING

FOR: None
AGAINST: None

WORK SESSION

MOTION: Dara Folan moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Jimmy Norwood
VOTE:
  FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Norwood, Smith
  AGAINST: None
  EXCUSED: None

_____________________
A. Paul Norby, AICP
Director of Planning