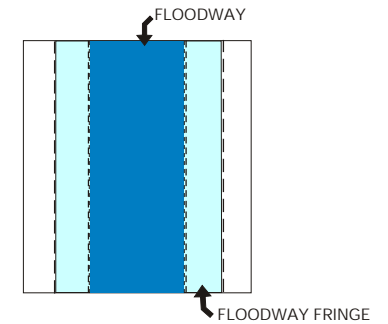


DOCKET #: W2626

PROPOSED ZONING:
PB

EXISTING ZONING:
LI

PETITIONER:
Wayne Hairston
and Marlene Hairston



SCALE: 1" represents 400'

STAFF: Roberts

GMA: 2

ACRE(S): 1.57

MAP(S): 636846

June 25, 2003

Wayne A. & Marlene Hairston
1541 Martin Luther King, Jr., Drive
Winston-Salem, NC 27107

RE: ZONING MAP AMENDMENT W-2626

Dear Mr. & Mrs. Hairston:

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

DATE: June 25, 2003
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Wayne A. Hairston and Marlene Hairston

SUMMARY OF INFORMATION:

Zoning map amendment of Wayne A. Hairston and Marlene Hairston from LI to PB: property is located on the east side of Martin Luther King, Jr. Drive north of Tower Street (Zoning Docket W-2626).

PLANNING BOARD ACTION:

MOTION ON PETITION: DENIAL
FOR: BOST, CLARK, DOYLE, EICKMEYER, FOLAN, GLENN
AGAINST: KING, LAMBE
SITE PLAN ACTION: NOT REQUIRED

CITY ORDINANCE - GENERAL USE

Zoning Petition of Wayne A. Hairston and Marlene Hairston, Docket W-2626

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 PB the zoning classification of the following described property:

Tax Block 0994A, Tax Lots 103A and 103B

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2626
STAFF: Gary Roberts

Petitioner(s): Wayne A. Hairston and Marlene Hairston
Ownership: Same

REQUEST

From: LI Limited Industrial Business District
To: PB Pedestrian 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: 1.57 acres

LOCATION:

Street: East side of Martin Luther King Jr. Drive north of Tower Street.
Jurisdiction: City of Winston-Salem.
Ward: Southeast.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: One vacant single family residence.

Adjacent Uses:

North- Triad Pest Control zoned LI-S.

Northeast- Transmission Tower zoned LI.

East- Stratford Die Casting zoned GI.

South- Stratford Die Casting zoned GI.

West- City of Winston-Salem Utilities Construction and Maintenance building zoned LI.

Northwest- City of Winston-Salem Warehouse zoned LI.

GENERAL AREA

Character/Maintenance: Industrial operations of various types and sizes in average maintenance.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: No impact determined with general use request. Topography: Gentle to moderate slope from the southwest down to the east central portion of the site.

Vegetation/habitat: There is little to no existing natural vegetation on the subject property.

Water Supply Watershed: The subject property is not located within a water supply watershed.

TRANSPORTATION

Direct Access to Site: Martin Luther King, Jr. Drive.

Street Classification: Major Thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Martin Luther King, Jr. Drive between Reynolds Park Road and Tower Street =
10,000 / 15,600

Planned Road Improvements: None

Sidewalks: Existing on the East side of Martin Luther King, Jr. Drive.

Transit: None.

Bicycle Route: Route 10 along Martin Luther King, Jr. Drive.

HISTORY

Relevant Zoning Cases:

1. W-2521; LI to LB-S (Multiple Business Uses); approved January 7, 2002; east side of Martin Luther King Jr. Drive north of Tower Street; 2.65 acres; Planning Board and staff recommended approval.
2. W-1996; RS-9 to LI; approved October 2, 1995; east side of Martin Luther King Jr. Drive north of Tower Street; 9.8 acres; Planning Board and staff recommended approval.
3. W-1838; R-4 to LI-S [Manufacturing: (2) Fabrication or assembly; Store or shops, retail; and Wholesale storage or sales]; approved September 7, 1993; east side of Martin Luther King Jr. Drive north of Tower Street; 1.71 acres; Planning Board and staff recommended approval.
4. W-1700; R-4 to I-2-S (Offices; Services; and Stores or shops, retail); approved March 4, 1991; east side of Martin Luther King Jr. Drive north of Tower Street; 1.02 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): GMA 2, Urban Neighborhoods

Relevant Comprehensive Plan Recommendation: *Legacy* recognizes the scarcity of “greenfield” industrial sites and recommends stimulating redevelopment and increased economic activity on older, abandoned, or underdeveloped industrial sites.

Area Plan/Development Guide: *Southeast Winston-Salem Area Plan (SEAP)* (2002).

Relevant Development Guide Recommendations: The *SEAP* identifies the site as existing single-family land use on industrially zoned property. There is not a specific recommendation for this site. However, the *SEAP* recommends no change in the use for 8 acres of adjacent vacant land currently zoned LI, Limited Industrial, between Martin Luther King Jr. Drive and Fork Creek. In addition, *SEAP* recommends consolidating industrial uses at existing locations along Martin Luther King Jr. Drive.

ANALYSIS

The subject request is to rezone a 1.57 acre parcel on the east side of Martin Luther King Jr. Drive, north of Tower Street and adjacent to Stratford Die Casting. Currently the site is undeveloped with the exception of a vacated single family residential structure.

The surrounding area is predominately industrial in nature and zoned either LI, LI-S or GI. A 2.65 acre parcel, approved for LB-S in January of 2002, remains undeveloped 100± feet north of the subject property.

The subject property is located within the recently adopted *Southeast Winston-Salem Area Plan (SEAP)*. The plan does not recommend changing the zoning of this property. *Legacy* recognizes the scarcity of “greenfield” industrial sites and recommends stimulating redevelopment and increased economic activity on older, abandoned, or underdeveloped industrial sites.

Staff observes this section of Martin Luther King Jr. Drive to be a well-functioning industrial area with relatively minimal interruptions of commercial traffic. The previously mentioned LB-S site was recommended for approval by staff due to its design qualities and opportunity to provide a small mixture of service and restaurant uses to the surrounding employment base. It was not intended to set a precedent for additional commercial zoning in the area. The PB District is intended to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem. Staff’s concern is that by introducing additional commercial zoning into the area, the atmosphere, which is currently very conducive to industrial operations, may become unnecessarily compromised.

FINDINGS

1. *Legacy* recognizes the scarcity of “greenfield” industrial sites and recommends stimulating redevelopment and increased economic activity on older, abandoned, or underdeveloped industrial sites.
2. The *Southeast Winston-Salem Area Plan* does not recommend changing the zoning of this property.
3. The subject PB request would promote pedestrian oriented and neighborhood- serving commercial development along this otherwise industrial section of Martin Luther King Jr. Drive.
4. The request would compromise the potential utilization of an otherwise viable industrial area.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Wayne Hairston, 1541 MLK Jr. Drive, Winston-Salem, NC 27107

Currently this land is occupied by the owners, living in the 2 bedroom, 1 bath house.

I requested LI and had the property rezoned after I purchased it.

While living on the property for eight years, I have had the opportunity to observe what would be most beneficial to the area. I have plans which will serve the community. I don't have the capital of the larger businesses in this area and would have to start off small to allow the good ideas to work.

The area surrounding this particular location has exhausted all the opportunities for LI. I don't want to be in competition with them, but rather to supplement the services for the community.

I know the area very well. I know what they need. None of my neighbors have a problem with this. I've talked to them all.

There is a turning lane in front of the property.

AGAINST: None

WORK SESSION

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

1. Dara Folan: In terms of LI versus PB, what would be the difference in uses?
Gary Roberts: PB allows service uses such as car wash. Staff sees them as being competition for traffic in this area. We have a service base that is working well.
2. Tim Gauss: Both *Vision 2005* and *Legacy* talk about trying to accumulate large tracts of land for industrial. Typically retail and commercial uses are more profitable. Those jobs are usually on a lower scale than jobs available with industrial properties.
3. Triad Pest Control is on the LI-S zoned property next to this site.
4. Arnold King: This can't be part of another large industrial tract because it has businesses near it.
6. Clarence Lambe: The development pace has been slow. Actual probability of accumulating industrial is probably slight. Paul Norby: The best use would probably be with the surrounding property. Industrial areas are hard to get on the map in the first place.
7. This is about a mile south of the research park. Paul Norby: The character of this area is industrial (not industrial park, but definitely industrial area).
8. There are still plenty of uses under LI that are available, so we don't feel that denying this request would be taking uses away from the petitioner. But there are a number of additional uses under PB that will impact the industrial surrounding this site. Those uses might create a trend for retail.

MOTION: Philip Doyle moved denial of the zoning map amendment.

SECOND: Carol Eickmeyer

VOTE:

FOR: Bost, Clark, Doyle, Eickmeyer, Folan, Glenn

AGAINST: King, Lambe

EXCUSED: None

A. Paul Norby, AICP
Director of Planning