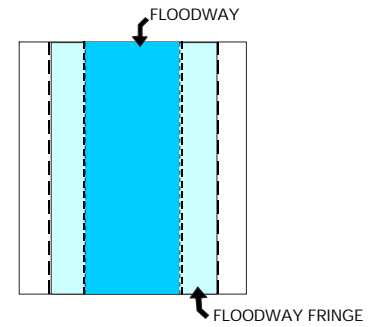


**DOCKET #:** W2492

**PROPOSED ZONING:**  
HB

**EXISTING ZONING:**  
IP and RM12

**PETITIONER:**  
L & C Investors, LLC



**SCALE:** 1" represents 200'

**STAFF:** Hughes

**GMA:** 2

**ACRE(S):** Tract 1: 0.51  
Tract 2: 0.29

**MAP(S):** 624866



August 22, 2001

L & C Investors, LLC  
Attn: Ched Neal  
3150 University Parkway  
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT W-2492

Dear Mr. Neal:

The attached report of the Planning Board to the Board of Aldermen is sent to you at the request of the Aldermen. You will be notified by the City Secretary's Office of the date on which the Aldermen 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  
G. Emmett McCall, 633 W. Fourth Street, Suite 150, Winston-Salem, NC 27101  
Andrew Hart, 633 W. Fourth Street, Suite 150, Winston-Salem, NC 27101

**ACTION REQUEST FORM**

**DATE:** August 22, 2001  
**TO:** The Honorable Mayor and Board of Aldermen  
**FROM:** A. Paul Norby, AICP, Director of Planning

**BOARD ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of L & C Investors, LLC

**SUMMARY OF INFORMATION:**

Zoning map amendment of L & C Investors, LLC for two separate tracts of land as follows:

Tract 1: Rezoning from IP to HB: property is located on the west side of University Parkway south of Cherry Street (Zoning Docket W-2492).

Tract 2: Rezoning from RM-12 to HB: property is located off the west side of University Parkway south of Cherry Street (Zoning Docket W-2492).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of L & C Investors, LLC, Docket  
W-2492

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 Board of Aldermen 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 Tract 1 from IP to HB and Tract 2 from RM-12 to HB the zoning classification of the following described property:

Tract 1

BEGINNING at a new iron pipe in the northern corner of that property conveyed to L & C Investors/Ched Ware Neal & wife Dianne M. Neal, by deed and recorded in Deed Book 2106, Page 505 of the Forsyth County Registry; also the southern line of the public right-of-way of University Parkway; also the eastern corner of that property conveyed to Wake Forest University by deed and recorded in Deed Book 642, Page 362 (Tax Lot 12G, Block 3436). Running thence from said beginning point south 37° 23' 14" east 31.68 feet to a new iron pipe along the public right-of-way of University Parkway, thence south 36° 23' 14" east 99.95 feet along said right-of-way to a new iron pipe, thence south 30° 11' 14" east 99.95 feet along said right-of-way to a new iron pipe on the northeastern line of said L & C Investors property. Thence north 75° 45' 08" west 281.17 feet to the northwestern line of said L & C Investors property, bordering said Wake Forest property. Thence north 49° 29' 54" east 189.00 feet to the point and place of beginning, containing 0.51 acre more or less, as shown on the survey entitled Boundary and Partial Topographic Survey for Regal Ford (Job #8779) by Allied Land Surveying Company, dated November 26, 2000, being a portion of Tax Lot 12G, Block 3436, as such maps are presently constituted.

Tract 2

BEGINNING at a new iron pipe in the southwestern corner of that property conveyed to L & C Investors/Ched Ware Neal and wife Dianne M. Neal, by deed and recorded in Deed Book 2106, Page 505 of the Forsyth County Registry; also the northwestern corner of that property conveyed to Bonnie Ridge Condominiums and shown in Plat Book 24, Page 11; also along the western line of that property conveyed to Wake Forest University by deed and recorded in Deed Book 722, Page 432 (also known as the "Old Town Golf

Course") Tax Lot 2A, Block 3436. Running thence from said beginning point north 13° 48' 31" east 202.89 feet to a new iron pipe in the eastern corner of said Wake Forest University property, running thence south 18° 2' 36" east 238.85 feet to an existing iron pipe at the northeastern corner of said Bonnie Ridge property. Thence north 76° 29' 36" west 127.11 feet along the northern property line of said Bonnie Ridge property to the point and place of beginning, containing 0.29 acre more or less, as shown on the survey entitled Boundary & Partial Topographic Survey for Regal Ford (Job #8779) by Allied Land Surveying Company, dated November 26, 2000, being Tax Lot 114L, Block 3436 as such maps are presently constituted.

Section 2. This ordinance shall become effective upon adoption.

## ZONING STAFF REPORT

**DOCKET #** W-2492  
**STAFF:** Suzy Hughes

Petitioner(s): L & C Investors, LLC  
Ownership: Same

### **REQUEST**

From: IP Institutional and Public District and RM-12 Residential Multifamily District;  
maximum density 12 units/acre  
To: HB Highway 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: Tract 1: 0.52 acre  
Tract 2: 0.30 acre

### **LOCATION**

Street: West side of University Parkway south of Cherry Street.  
Jurisdiction: City of Winston-Salem.  
Ward: Northwest.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: No structures, but vehicles are parked on site for dealership on adjacent lot.

Adjacent Uses:

North - Utility facilities, zoned RS-9.  
East - Whitaker Park, zoned GB.  
South - Apartments, zoned RM-12.  
West - Golf course, zoned IP.

### **GENERAL AREA**

Character/Maintenance: Area is a mixture of heavily buffered, well maintained public and business uses, multifamily, and highway business uses.

Development Pace: Moderate.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Site is currently developed and paved.

Topography: These properties are fairly flat.

Streams: There are no streams on these properties.

Vegetation/habitat: Site is completely paved with no vegetation.

Constraints: None

Floodplains: These properties lie adjacent to a floodway area.

Watershed: Site is not within the boundaries of a water supply watershed.

## **TRANSPORTATION**

Direct Access to Site: University Parkway; Cherry Street.

Street Classification: Both are major thoroughfares.

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

University Parkway between Deacon Boulevard and Reynolds Boulevard = 31,000/40,000

Cherry Street between University Parkway and Reynolds Boulevard = NC/22,000

Sidewalks: Along west side of University Parkway.

Transit: Route #4, along University Parkway and North Cherry Street, on east side of site.

## **HISTORY**

Relevant Zoning Case:

1. W-1815; I-2 to B-3; approved July 7, 1993; northeast corner of University Parkway and Deacon Blvd. and the north side of Baity Street east of University Parkway; 1.33 acres; Planning Board and staff recommended approval.

## **CONFORMITY TO PLANS**

GMP Area (*Legacy*): Site is located on University Parkway, designated in *Legacy* as an Urban Boulevard, special corridors that connect the Center City with Metro Activity Centers.

Relevant Comprehensive Plan Recommendation(s): The purposes of Urban Boulevards include: create attractive urban gateways leading into downtown; concentrate jobs, retail and higher density housing at selected points along these corridors; and, incorporate design features that support pedestrian activity. Other recommendations include: concentrate economic development activity in urbanized areas with established infrastructure; and, promote economic development activity which is compatible with existing residential neighborhoods and other business developments.

Area Plan/Development Guide: The site is not within the boundaries of a development guide or an area plan.

## **ANALYSIS**

Current petition is a request to rezone two small tracts of property to HB. Tract one is 0.52 acre and is currently zoned IP. Tract two is 0.29 acre and is currently zoned RM-12. Currently there is an automobile dealership located contiguous to these two tracts. Said dealership has been using both tracts of this petition as a portion of the display and storage area. This petition has been submitted to make the utilized properties conform to the proper zoning classification.

HB at this site is consistent with *Legacy* recommendations. The request for HB supports the recommendation that retail be located along urban boulevards such as University Parkway. The requested rezoning will not negatively impact the area as there is much business zoning on this portion of University Parkway.

## **FINDINGS**

1. Request to rezone two small tracts of property to HB; Tract One 0.52 acre, Tract Two 0.30 acre.
2. HB at this site is consistent with *Legacy* recommendations.
3. Requested rezoning will not negatively impact the area as there is much business zoning on this portion of University Parkway.
4. Staff recommends approval of this petition.

## **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

## **PUBLIC HEARING**

FOR: None

AGAINST: None

## **WORK SESSION**

MOTION: Jimmy Norwood moved approval of the zoning map amendment.

SECOND: Kerry Avant



VOTE:

FOR: Avant, Clark, King, Norwood, Powell, Snelgrove

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning