



December 19, 2001

Winston-Salem Ventures, LLC  
P. O. Box 894  
Winston-Salem, NC 27102

RE: ZONING MAP AMENDMENT W-2521

Dear Sirs:

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  
Bob Sparks, P. O. Box 24296, Winston-Salem, NC 27114  
Norman Wallace, 721 Polo Oaks Drive, Winston-Salem, NC 27106

**ACTION REQUEST FORM**

**DATE:** December 19, 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 Winston-Salem Ventures, LLC for property owned by Norman G. Wallace

**SUMMARY OF INFORMATION:**

Zoning map amendment of Winston-Salem Ventures, LLC for property owned by Norman G. Wallace from LI to LB-S [Broadcast Studio; Park and Shuttle Lot; Parking, Commercial; Government Offices; Library, Public; Neighborhood Organization; Museum or Art Gallery; Recreational Services, Indoor; Public Recreational Facility; Adult Daycare Center; Child Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Bed and Breakfast; Car Wash; Funeral Home; Medical and Surgical Offices; Motor Vehicle Rental and Leasing; Motor Vehicle Repair and Maintenance; Non-Store Retailer; Miscellaneous Offices; Professional Offices; Services, Business A; Services, Personal; Veterinary Services; ABC Store; Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Motorcycle Dealer; Nursery, Land and Garden Supply Store; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous]: property is located on the east side of Martin Luther King Jr. Road (Zoning Docket W-2521).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Winston-Salem Ventures, LLC  
for property owned by Norman G. Wallace, Docket  
W-2521

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 from LI to LB-S [Broadcast Studio; Park and Shuttle Lot; Parking, Commercial; Government Offices; Library, Public; Neighborhood Organization; Museum or Art Gallery; Recreational Services, Indoor; Public Recreational Facility; Adult Daycare Center; Child Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Bed and Breakfast; Car Wash; Funeral Home; Medical and Surgical Offices; Motor Vehicle Rental and Leasing; Motor Vehicle Repair and Maintenance; Non-Store Retailer; Miscellaneous Offices; Professional Offices; Services, Business A; Services, Personal; Veterinary Services; ABC Store; Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Motorcycle Dealer; Nursery, Land and Garden Supply Store; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous] the zoning classification of the following described property:

Tax Block 2580, Tax Lot 03P

Section 2. This Ordinance is adopted after approval of the site plan entitled Winston-Salem Ventures, LLC and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to Winston-Salem Ventures, LLC for property owned by Norman G. Wallace.

Section 3. The Board of Aldermen 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 Winston-Salem Ventures, LLC. 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 Board of Aldermen

of the City of Winston-Salem

The Board of Aldermen 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 Winston-Salem Ventures, LLC for property owned by Norman G. Wallace, (Zoning Docket W-2521). 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 LB-S [Broadcast Studio; Park and Shuttle Lot; Parking, Commercial; Government Offices; Library, Public; Neighborhood Organization; Museum or Art Gallery; Recreational Services, Indoor; Public Recreational Facility; Adult Daycare Center; Child Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Bed and Breakfast; Car Wash; Funeral Home; Medical and Surgical Offices; Motor Vehicle Rental and Leasing; Motor Vehicle Repair and Maintenance; Non-Store Retailer; Miscellaneous Offices; Professional Offices; Services, Business A; Services, Personal; Veterinary Services; ABC Store; Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Motorcycle Dealer; Nursery, Land and Garden Supply Store; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous]", approved by the Winston-Salem Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_" and signed, provided the

property is developed in accordance with requirements of the LB-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 GRADING PERMITS**
  - a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Developer shall repair/replace any damaged sidewalk and curb and gutter along Martin Luther King Jr. Drive in accordance with NCDOT standards.
  
- **OTHER REQUIREMENTS**
  - a. One (1) free standing sign shall be permitted. Said sign shall be a monument type with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.

## ZONING STAFF REPORT

**DOCKET #** W-2521  
**STAFF:** Gary Roberts

Petitioner(s): Winston-Salem Ventures, LLC  
Ownership: Norman G. Wallace

### **REQUEST**

From: LI Limited Industrial District  
To: LB-S Limited Business District [Broadcast Studio; Park and Shuttle Lot; Parking, Commercial; Government Offices; Library, Public; Neighborhood Organization; Museum or Art Gallery; Recreational Services, Indoor; Public Recreational Facility; Child Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Bed and Breakfast; Funeral Home; Medical and Surgical Offices; Non-Store Retailer; Miscellaneous Offices; Professional Offices; Services, Business A; Services, Personal; Veterinary Services; ABC Store; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Land and Garden Supply Store; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous]

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

Acreage: 2.65 acres

### **LOCATION**

Street: East side of Martin Luther King, Jr. Drive between Tower Street and Argonne Boulevard.  
Jurisdiction: City of Winston-Salem.  
Ward: Southeast.

### **SITE PLAN**

Proposed Use: See above list of uses.  
Square Footage: 9,996 square feet.  
Building Height: One story.  
Parking: Required: 71 spaces; Proposed: 71 spaces.  
Bufferyard Requirements: None required.  
Vehicular Use Landscaping Standards Requirements: UDO standards apply.



## **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Site is currently undeveloped.

Adjacent Uses:

North -	Salem Sport Signs zoned LI.
East -	Telecommunications tower zoned LI.
Southeast -	Wallace Industrial Park zoned LI.
South -	Triad Pest Control zoned LI-S.
West -	City of Winston-Salem Utilities Construction and Maintenance building 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: Majority of vacant lot to be cleared and developed.

Topography: Gentle slope downward to the east.

Vegetation/habitat: Front portion of site has minimal vegetation, rear portion is partially wooded.

Water Supply Watershed: Site is not within a water supply watershed.

## **TRANSPORTATION**

Direct Access to Site: Martin Luther King Jr, Dr.; Argonne Blvd; Tower St

Street Classification: Martin Luther King, Jr., Drive - major thoroughfare; Argonne Blvd. - collector; Tower Street - collector.

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

MLK Drive between Tower Street and Reynolds Park Rd = 9,400/15,600

Trip Generation/Existing Zoning: LI

No existing buildings to use in computing trip rate

Trip Generation/Proposed Zoning: LB-S

9,996 sf /1,000 x 130.34 (High Turnover Restaurant Trip Rate) = 1,302 trips per day

Sidewalks: On east side of MLK Drive.

Transit: Route #26, north of site on MLK Drive.

Bike: Route #10 along MLK Drive.

## **HISTORY**

Relevant Zoning Cases:

1. W-1996; RS-9 to LI; approved October 2, 1995; current site; 9.8 acres; Planning Board and staff recommended approval.

2. 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; approximately 300 feet north of current site; 1.71 acres; Planning Board and staff recommended approval.
3. W-1700; R-4 to I-2-S (Offices; Services; and Stores or shops, retail); approved March 4, 1991; directly adjacent to southern border of current site; 1.02 acres; Planning Board and staff recommended approval.

## **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): Encourage quality infill development, greater residential densities where appropriate, neighborhood retail, and community services; and, historic preservation, rehabilitation and reuse of existing structures are encouraged.

Area Plan/Development Guide: Draft *Southeast Winston-Salem Area Plan*.

Relevant Development Guide Recommendation(s): Attract appropriate uses at a neighborhood scale such as medical offices, banking facilities, and entertainment and eating places in areas zoned for nonresidential uses. Mixed use development is encouraged along major roads following traditional neighborhood design.

## **ANALYSIS**

The subject request is to rezone a 2.65 acre tract on the east side of Martin Luther King Jr. Drive from LI to LB-S. The property lies generally between Winston-Salem State University to the north and the neighborhood commercial area along Waughtown Street to the south. The site is currently undeveloped and surrounded by various industrial uses and zoning.

The proposed request includes a fairly broad list of small scale retail and service type uses. Staff expressed concern to the applicant regarding the appropriateness of some of the uses, such as car wash, convenience store, and ABC store. The applicant has amended the list of uses to staff's satisfaction.

The site plan shows one drive entrance with two, one story buildings on each side of the entrance and parking provided in the rear. The buildings are consequently pulled up fairly close (20' minimum building setback requirement) to the existing sidewalk which runs along Martin Luther King Jr. Drive.

Staff had some initial concerns in regarding the introduction of commercial uses into the heart of this viable industrial area. The potential of undermining the desired retail reinvestment in the Waughtown Street area to the south was also a consideration. However, staff sees a greater potential benefit of the request whereby some of the daily, lunch hour type retail/service needs of the surrounding workforce, could be conveniently met close by, thus minimizing overall vehicular trip lengths. In addition, the special use nature of the request enables the applicant and the governing body to address important site plan and streetscape issues such as building orientation, parking location and signage.

In summary, while staff would not be supportive of widespread, large scale commercial development in this area, the scale and building placement of the current request would result in a healthy balance of uses and possible enhancement to the streetscape along this portion of Martin Luther King Jr. Drive.

## **FINDINGS**

1. *Legacy* encourages quality infill development, neighborhood retail, and community services.
2. The draft *Southeast Winston-Salem Area Plan* recommends attracting appropriate uses at a neighborhood scale such as medical offices, banking facilities, and entertainment and eating places in areas zoned for nonresidential uses. Mixed use development is encouraged along major roads following traditional neighborhood design.
3. The proposed request would provide a needed mix of small scale retail and service type uses to serve the surrounding employment centers.
4. The site plan shows buildings addressing the street with off-street parking being entirely internalized.

## **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

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

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  - a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Developer shall repair/replace any damaged sidewalk and curb and gutter along Martin Luther King Jr. Drive in accordance with NCDOT standards.
- **OTHER REQUIREMENTS**
  - a. One (1) free standing sign shall be permitted. Said sign shall be a monument type with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.

## **PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

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

SECOND: Kem Schroeder

VOTE:

FOR: Avant, Bost, Clark, Doyle, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Philip Doyle

SECOND: Kem Schroeder

VOTE:

FOR: Avant, Bost, Clark, Doyle, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning