



September 19, 2018

C & M Investment Group, LLC
PO Box 3196
Matthews, NC 28106

Re: Zoning Petition W-3383

Bryce A. Stuart Municipal Building
100 E. First Street
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.748.3163
www.cityofws.org/planning

Dear Petitioner:

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,

Chris Murphy, AICP
Acting Director of Planning and Development Services

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102



City Council: Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

County Commissioners: David R. Plyler, Chairman; Don Martin, Vice Chair, Fleming El-Amin; Ted Kaplan; Richard V. Linville; Gloria D. Whisenhunt; Everette Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; Chris Leak, Vice-Chair; George M. Bryan, Jr.; Melynda Dunigan; Jason Grubbs; Tommy Hicks; Clarence R. Lambe, Jr.; Johnny Sigers; Brenda J. Smith

ACTION REQUEST FORM

DATE: September 19, 2018
TO: The Honorable Mayor and City Council
FROM: Chris Murphy, AICP, Acting Director of Planning and Development Services

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Petition of C & M Investment Group, LLC

SUMMARY OF INFORMATION:

- A. Public hearing on zoning petition of C & M Investment Group, LLC from LI-S to LI-L (Warehousing; Wholesale Trade A; Wholesale Trade B; Building Materials Supply; Manufacturing A; Building Contractor, General; and Offices) (Zoning Docket W-3383)
- B. Ordinance amending the *Unified Development Ordinances* of Winston-Salem/Forsyth County and the Official Zoning Map
- C. Approval of Special Use Limited District Permit

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE

CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of C & M Investment Group, LLC, Docket W-3383

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-S to LI-L (Warehousing; Wholesale Trade A; Wholesale Trade B; Building Materials Supply; Manufacturing A; Building Contractor, General; and Offices) the zoning classification of the following described property:

PIN# 6844-30-2115

Section 2. This Ordinance is adopted after approval of the Special Use Limited District Permit issued by the City Council the _____ day of _____, 20___ to C & M Investment Group, LLC.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be located on the property described in section one above. Said Special Use Limited District Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE LIMITED DISTRICT PERMIT

SPECIAL USE LIMITED 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 Limited District Permit for the zoning petition of C & M Investment Group, LLC, (Zoning Docket W-3383). The site shall be developed in accordance with the conditions approved by the Board and the following uses: (Warehousing; Wholesale Trade A; Wholesale Trade B; Building Materials Supply; Manufacturing A; Building Contractor, General; and Offices), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the LI-L 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:

OTHER REQUIREMENTS:

- a. Developer shall retain the existing oak tree along the Thomasville Road frontage and install any supplemental plantings necessary to comply with the Streetyard requirements along both Thomasville Road and the Hoyle Trail frontages. Developer shall retain the existing bufferyard plantings along the northern and southern property lines.
- b. Any new fencing or gating along either the Thomasville Road frontage or the Hoyle Trail frontage shall be vinyl coated.

CITY-COUNTY PLANNING BOARD

PETITION INFORMATION			
Docket #	W-3383		
Staff	Gary Roberts, Jr. AICP		
Petitioner(s)	C & M Investment Group, LLC		
Owner(s)	Same		
Subject Property	PIN # 6844-30-2115		
Address	3528 Thomasville Road		
Type of Request	Special use limited rezoning from LI-S to LI-L		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI-S (Limited Industrial – special use - Warehousing; Wholesale Trade A; Wholesale Trade B; Building Materials Supply; and Offices) to LI-L (Limited Industrial – special use limited). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Warehousing; Wholesale Trade A; Wholesale Trade B; Building Materials Supply; Manufacturing A; Building Contractor, General; and Offices <p>NOTE: General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.</p>		
Neighborhood Contact/Meeting	See Attachment A for a summary of the petitioner’s neighborhood outreach.		
Zoning District Purpose Statement	The LI District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial and service activities which, in their normal operations, have little or no adverse effect upon adjoining properties. The district is established to provide locations for industrial development in GMAs 1, 2, 3 and 4 and Metro Activity Centers.		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is currently zoned LI-S and developed with a commercial/industrial building.</p>		
GENERAL SITE INFORMATION			
Location	West side of Thomasville Road, south of Reed Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	Southeast		
Site Acreage	± 1.14 acres		
Current Land Use	The existing building on the site is currently unoccupied. The previous tenant was Vemco Music Company.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS9	Undeveloped lots and single family homes
	East	RS9	Single family homes

	South	RS9	Undeveloped lots and single family homes			
	West	LI	Warehousing			
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	The proposed uses are compatible with the uses permitted on the adjacent LI zoned property and less compatible with the residential uses permitted on the adjacent RS9 zoned properties.					
Physical Characteristics	The developed site has a gentle slope downward to the northwest.					
Proximity to Water and Sewer	Public water and sewer are available to the site.					
Stormwater/ Drainage	There is an existing stormwater management facility located in the northwest corner of the site.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The site is currently improved with a one story 8,000 square foot industrial building. The site appears to have no development constraints such as steep slopes, designated floodplains, or water supply watersheds.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3189	GI-S to GI-S	Approved 5-5-13	800' west	3.32	Approval	Approval
W-1399	R4 to I2-S (LI-S)	Approved 5-4-1987	Current site	1.14	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Thomasville Road	Expressway	149'	18,000	23,600		
Hoyle Trail	Local Street	95'	NA	NA		
Proposed Access Point(s)	Because this is a special use limited request with no site plan or access conditions, the exact location of access points is unknown. The site is currently accessed from both Thomasville Road and Hoyle Trail.					
Planned Road Improvements	The 2012 <i>Comprehensive Transportation Plan</i> recommends a four lane divided median cross section for this section of Thomasville Road with wide outside lanes, curb and gutter, and sidewalks.					
Trip Generation - Existing/Proposed	<u>Existing Zoning: LI-S</u> 8,000 / 1,000 x 3.82 (Manufacturing Trip Rate) = 31 Trips per Day <u>Proposed Zoning: LI-L</u> Staff is unable to provide an accurate trip generation for the proposed special use limited zoning because there is no site plan.					
Sidewalks	There are no sidewalks located in the general area.					

Transit	Route 86 runs along Thomasville Road to Reed Street located approximately 350' to the north.
Analysis of Site Access and Transportation Information	<p>The subject property has the advantage of being a double frontage lot with access onto both Thomasville Road and Hoyle Trail. When the site was originally rezoned to the equivalent of LI-S in 1987, the approval included a condition to dedicate 40' of right-of-way from the centerline of Thomasville Road. That condition has been met.</p> <p>While no specific trip generation can be determined with the subject request because there is no site plan, the proposed uses are typically not considered high traffic generating uses. Staff does not see any transportation related issues associated with this rezoning.</p>
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 3 – Suburban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Encourage reuse of vacant and underutilized commercial and industrial sites. • Recognize the scarcity of good industrial land and promote the wisest economic use of those limited resources to generate needed jobs and create wealth for our community.
Relevant Area Plan(s)	<i>South Suburban Area Plan Update (2018)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The property is recommended for Industrial Use. • Continue revitalization of vacant or underutilized industrial sites in the planning area.
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(R)(4) - Is the requested action in conformance with Legacy 2030?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The subject request is to rezone a modest sized industrially developed site from LI-S to LI-L. The reason for the request is to add the uses of Manufacturing A and Building Contractor, General.</p> <p>The request is consistent with the <i>South Suburban Area Plan Update</i> which recommends industrial land use for the site. While the subject property is adjacent to RS9 zoned property on three sides, it is well screened and staff recommends carrying forward the previously approved</p>

	<p>bufferyard conditions as well as the preservation of a large oak tree in the front yard.</p> <p>The two additional proposed uses of Manufacturing A and Building Contractor, General do not include outside storage of machinery or equipment or any outside manufacturing. Planning staff recommends approval.</p>
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CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The request is consistent with the industrial land use recommendation of the area plan.	The site is adjacent to RS9 zoned properties on three sides.
The site has been zoned for industrial purposes since 1987.	
The site is relatively well screened from the adjacent RS9 zoned properties.	
The site has access to two public streets.	
The proposed uses are typically not considered high traffic generating uses.	

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

<p>The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.</p> <ul style="list-style-type: none"> • <u>OTHER REQUIREMENTS:</u> <ol style="list-style-type: none"> a. Developer shall retain the existing oak tree along the Thomasville Road frontage and install any supplemental plantings necessary to comply with the Streetyard requirements along both Thomasville Road and the Hoyle Trail frontages. Developer shall retain the existing bufferyard plantings along the northern and southern property lines. b. Any new fencing or gating along either the Thomasville Road frontage or the Hoyle Trail frontage shall be vinyl coated.
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STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3383
SEPTEMBER 13, 2018**

Aaron King presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning petition.

SECOND: Chris Leak

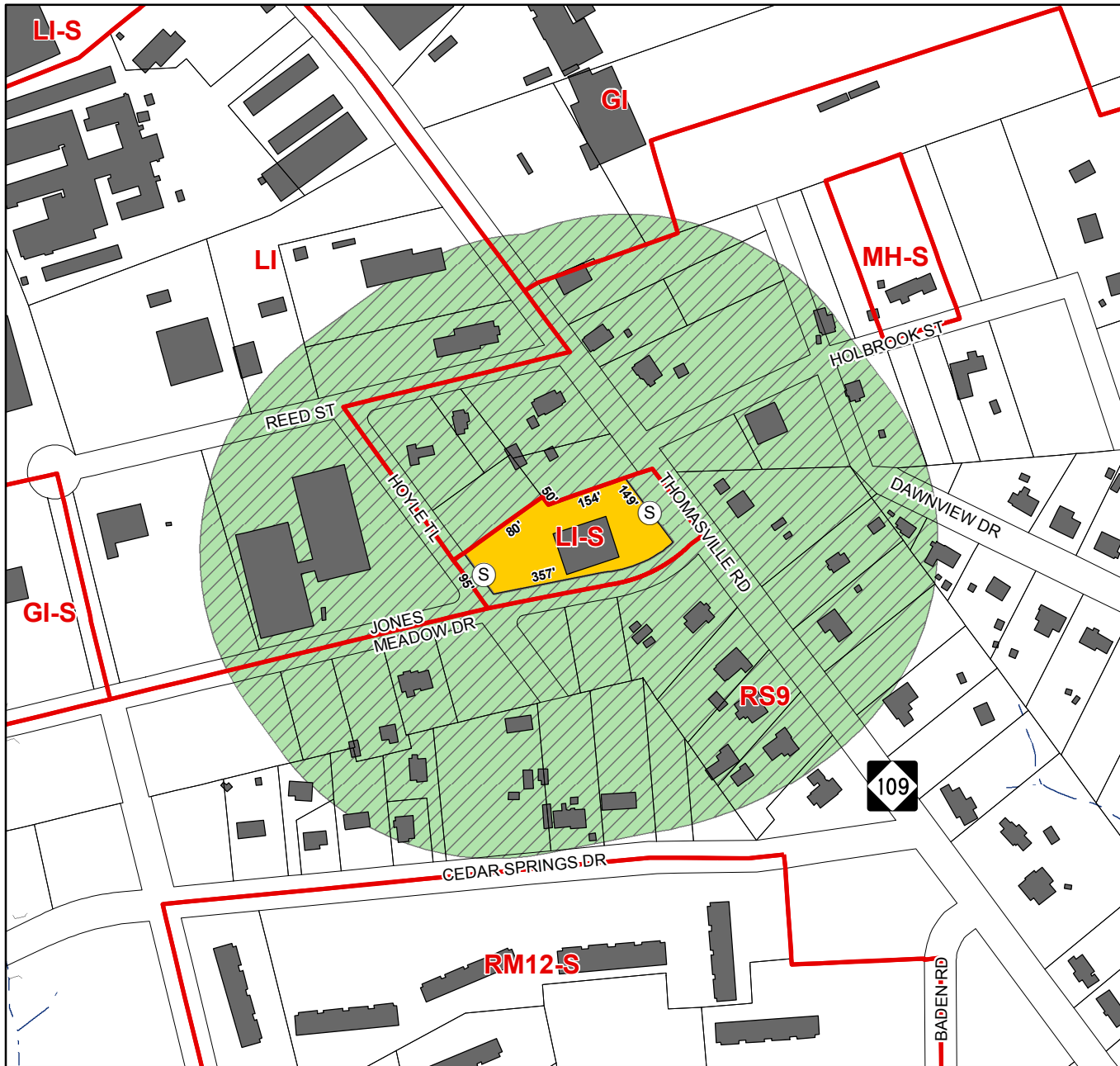
VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe,
Chris Leak, Johnny Sigers, Brenda Smith

AGAINST: None

EXCUSED: None

Chris Murphy, AICP
Acting Director of Planning and Development Services





DOCKET #: W3383

PROPOSED ZONING:
LI-L

EXISTING ZONING:
LI-S

PETITIONER:
C and M Investments, LLC

-  Property included in zoning request.
-  500' mail notification radius. Property not in zoning request.

SCALE: 1" represents 300'

STAFF: Roberts

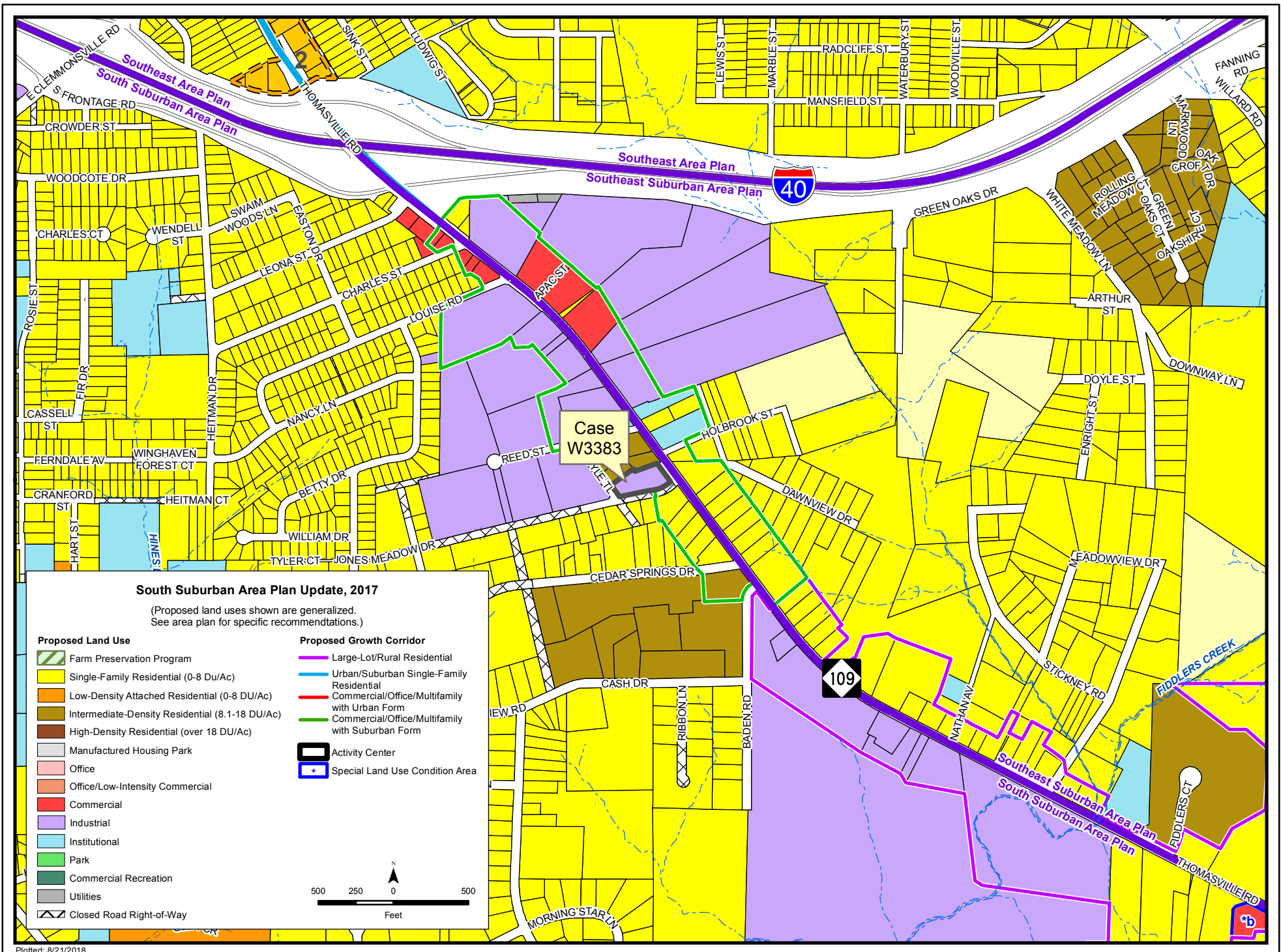
GMA: 3

ACRES: 1.14

NEAREST BLDG: 68' north

MAP(S): 6844.03





Case W3383

109

#b

Gary Roberts

From: Antoinette Becht <antoinette.becht@jjcustom-builders.com>
Sent: Wednesday, September 05, 2018 10:12 AM
To: Gary Roberts; Steven Creed
Subject: Rezone 3528 Thomasville Road Winston Salem

Hello Gary,

I hope you are well. I wanted to let you know that we have only had 1 reply to the 36 letters we have sent out to the surrounding property owners. The letters went out in the mail August 10, 2018. The property owner who replied, asked a few questions about the intention of the rezone and she was satisfied with the reply. I do apologize that we did not document her name.

The letters we sent out stated we were trying to go from a Limited Industrial-Special use to a Limited Industrial-Limited use. We let them know that being they are a property owner within 500 feet they might be affected. We provided the owners with our email and phone number and requested they contact us if they had any questions or needed any additional information. We also provided them with your phone number & email address at the City in case they wanted to call the city directly.

If you need anything else please do not hesitate to let me know. Thank you for your time.

Best Regards,

Antoinette J. Becht

*Construction Coordinator
J&J Custom Homes
2920-D Old Monroe Rd.
Stallings, NC 28104
704-234-8202*

¹ W-3383 Attachment A