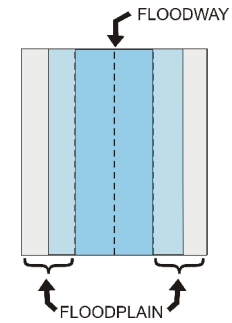


DOCKET #: W3061

PROPOSED ZONING:
HB

EXISTING ZONING:
LO and HB

PETITIONER:
J.M. Long Construction Co.
for property owned
by Same



SCALE: 1" represents 200'

STAFF: Moore

GMA: 3

ACRES: 0.1

NEAREST BLDG: 30' northeast

MAP(S): 624874



April 21, 2010

J.M. Long Construction Co. Inc.
c/o Julia Song, Vice-President
P. O. Box 5586
Winston-Salem, NC 27113

RE: ZONING MAP AMENDMENT W-3061

Dear Ms. Song:

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, FAICP
Director of Planning

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

ACTION REQUEST FORM

DATE: April 21, 2010
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Petition of J.M. Long Construction Co. Inc.

SUMMARY OF INFORMATION:

Zoning Petition of J.M. Long Construction Co. Inc. from LO & HB to HB: property is located on the north side of Brownsboro Road, west of Cherry Street; (Zoning Docket W-3061).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of J.M. Long Construction Co. Inc., Docket W-3061

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 LO & HB to HB the zoning classification of the following described property:

PIN #6827-54-8270

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3061		
Staff	David Moore GISP		
Petitioner(s)	J.M. Long Construction Co.		
Owner(s)	Same		
Subject Property	PIN # 6827-54-8270		
Type of Request	General use rezoning		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB, (Highway Business District) and LO, (Limited Office District) to HB, (Highway Business District).</p> <p>NOTE: Both general, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.</p>		
Zoning District Purpose Statement	The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. This district is intended for application in Growth Management Areas 2, 3, and 4.		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes, the subject property is located in GMA 3 on a collector street.		
GENERAL SITE INFORMATION			
Location	North side of Brownsboro Road, west of Cherry Street.		
Jurisdiction	City of Winston-Salem		
Ward(s)	North Ward		
Site Acreage	± 0.1 acre		
Current Land Use	Vacant Lot		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	HB	Vacant
	East	HB	North Point Florist, Inc.
	South	RM-18	Multifamily Development
	West	LO	Vacant
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?		
	Yes, the HB district would be compatible with the existing development pattern in the area.		

Physical Characteristics	The topography of the site is relatively flat, with a drainage ditch in front.			
Proximity to Water and Sewer	The site has access to public water and sanitary sewer.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The subject property is not located within a regulated water supply watershed.			
Analysis of General Site Information	It appears the site has no development constraints, and is suitable for development within the proposed HB district.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Brownsboro Road	Collector Street	111'	1,300	NA
Proposed Access Point(s)	Since this is a general use request, the exact location of access points is unknown. However, the site does have public road frontage.			
Trip Generation - Existing/Proposed	No trip generation is available for general use zoning.			
Sidewalks	None existing			
Transit	Site is on WSTA route 4.			
Traffic Impact Study (TIS)	Not required			
Analysis of Site Access and Transportation Information	Staff does not anticipate any negative transportation impacts from this request.			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	Growth Management Area 3, (Suburban Neighborhoods)			
Relevant Legacy Recommendations	Permit services near where people live in a manner that is compatible with surrounding uses, and provide retail and service uses within walking and bicycling distance of neighborhoods.			
Relevant Area Plan(s)	<i>North Suburban Area Plan, 2005</i>			
Area Plan Recommendations	<i>Commercial:</i> Because of its population and its location along US 52 and University Parkway, the North Suburban Planning Area is a prime retail destination in Forsyth County. Both local residents and individuals traveling through the area purchase a variety of goods and services in the area's commercial establishments. The <i>North Suburban Area Plan</i> seeks to create commercial opportunities while simultaneously concentrating such development in areas that do not negatively affect nearby neighborhoods.			

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 <i>Legacy</i>?					
Yes						
Analysis of Conformity to Plans and Planning Issues	Staff believes that the rezoning request is compatible with the <i>North Suburban Area Plan</i> and is appropriate at this location. Approval of this request would provide uniform HB zoning for the subject property, which combined with the adjacent parcel to the north, would create a more usable HB zoning lot.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2886	GB to LI	Approved 10-2-06	1,400' northwest	1.48	Approval	Approval
W-2460	LI to HB	Approved 5-7-95	1,400' northeast	3.49	Approval	Approval
Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy</i> policies:			Yes		
	(B) <i>Environmental Ord.</i>			NA		
	(C) Subdivision Regulations			NA		
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
Request is consistent with <i>Legacy</i> .						
The site is currently partially zoned HB and surrounded by intense zoning districts.						

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.**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment.

SECOND: Wesley Curtis

VOTE:

FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning