



**DOCKET #:** W3032

**PROPOSED ZONING:**  
PB

**EXISTING ZONING:**  
LI

**PETITIONER:**  
Urban Development Ventures  
and JHP Investment Properties  
LLC for property owned by Same

**SCALE:** 1" represents 200'

**STAFF:** Roberts

**GMA:** 2

**ACRES:** 1.60

**NEAREST  
BLDG:** 50' north

**MAP(S):** 630858



May 20, 2009

Urban Development Ventures, LLC  
and JHP Investment Properties, LLC  
807 N. Trade Street  
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-3032

Dear Sirs:

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:** May 20, 2009  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of Urban Development Ventures, LLC and JHP Investment Properties, LLC

**SUMMARY OF INFORMATION:**

Zoning map amendment of Urban Development Ventures, LLC and JHP Investment Properties, LLC from LI to PB: property is located on the northeast corner of Martin Luther King, Jr. Drive and Trade Street (Zoning Docket W-3032).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Urban Development Ventures, LLC  
and JHP Investment Properties, LLC, Docket W-3032

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:

PIN #'s 6835-19-8342, 6835-19-8348, 6835-19-8443, 6835-19-9352, 6835-19-9450, 6835-29-0259, 6835-29-1279, and 6835-29-1318

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3032
<b>Staff</b>	<a href="#">Gary Roberts, Jr. AICP</a>
<b>Petitioner(s)</b>	Urban Development Ventures, LLC and JHP Investment Properties, LLC
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN #'s 6835-19-8342, 6835-19-8348, 6835-19-8443, 6835-19-9352, 6835-19-9450, 6835-29-0259, 6835-29-1279, and 6835-29-1318
<b>Address</b>	821 North Trade Street
<b>Type of Request</b>	General use rezoning
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> LI (Limited Industrial District) <b>to</b> PB (Pedestrian Business District).</p> <p><b>NOTE:</b> Both general 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>
<b>Zoning District Purpose Statement</b>	The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<p><b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Yes, the site is located adjacent to other PB zoned property within a pedestrian oriented setting and located in GMA 2.</p>
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	Northeast corner of Martin Luther King, Jr. Drive and Trade Street
<b>Jurisdiction</b>	City of Winston-Salem
<b>Ward(s)</b>	East
<b>Site Acreage</b>	Approximately ±1.60 acres
<b>Current Land Use</b>	The site is undeveloped with the exception of an apparently unoccupied building.

<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>		<b>Use</b>
	North	LI		Industrial use
	East	GB		Commercial building and railroad
	South	PB		Residential
	West	LI		Wholesale produce
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>			
	Yes			
<b>Physical Characteristics</b>	The site has no mature vegetation remaining and has a moderate to gentle slope downward toward the northeast.			
<b>Proximity to Water and Sewer</b>	Public water and sewer are available.			
<b>Stormwater/ Drainage</b>	No known issues.			
<b>Watershed and Overlay Districts</b>	The site is not within a water supply watershed.			
<b>Historic, Natural Heritage and/or Farmland Inventories</b>	Although not listed in the official inventory of historic properties for Forsyth County, the building on the site has some degree of architectural/historical integrity. Tax records indicate the building was constructed in 1929.			
<b>Analysis of General Site Information</b>	The site has some unopened alleys that may need to be closed prior to any new construction. Otherwise, it appears the site has no development constraints, and is suitable for development within the proposed PB district.			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
Martin Luther King Jr. Drive	Major Thoroughfare	386'	8,900	28,900
Trade Street	Minor Thoroughfare	136'	2,600	12,600
West Ninth Street	Local Street	392'	NA	NA
<b>Proposed Access Point(s)</b>	Since this is a general use request, the exact location of access points is unknown. However, the site does have public road frontage on three sides.			
<b>Trip Generation - Existing/Proposed</b>	Trip generation is not available for the existing and proposed general use districts.			
<b>Sidewalks</b>	Sidewalks are located on both sides of all the surrounding streets.			

<b>Transit</b>	Route 2 along Martin Luther King Jr. Drive and Routes 5 & 7 along Trade Street.					
<b>Analysis of Site Access and Transportation Information</b>	Staff does not anticipate any negative transportation impacts from this request.					
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>						
<b>Legacy GMA</b>	Growth Management Area 2, Urban Neighborhoods					
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>Legacy promotes land use patterns and design standards that support public transit, walking and bicycling. For Urban Neighborhoods, Legacy recommends quality infill development, historic preservation, rehabilitation and reuse of existing structures.</li> </ul>					
<b>Relevant Area Plan(s)</b>	<i>North Central Winston-Salem Area Plan, 2007</i>					
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>The <i>North Central Winston-Salem Area Plan</i> does not make any recommendations for a change in the existing land use for the eastern portion of the site on which there is an existing building. The western portion of the site along Trade Street is designated in the Plan for Office use.</li> </ul>					
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(3) - Have changing conditions substantially affected the area in the petition?</b>					
	No					
	<b>(S)(4) - Is the requested action in conformance with Legacy?</b>					
Yes						
<b>Analysis of Conformity to Plans and Planning Issues</b>	The subject request is consistent with Legacy in that the proposed PB District includes design standards which support walking. The PB District also allows for office use which is consistent with the area plan recommendation on the western portion of the site. Staff has been supportive of other general use PB requests in the area.					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2654	LI to PB	Approved 11-3-03	Directly south	1.25 acres	Approval	Approval
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>		<b>(A) Legacy policies:</b>		Yes		
		<b>(B) Environmental Ord.</b>		NA		
		<b>(C) Subdivision Regulations</b>		NA		

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed PB district will allow potential redevelopment of the site with a mixture of uses in a pedestrian oriented manner.	The proposed general use request provides no assurance that the existing structure will remain.
The request is consistent with <i>Legacy</i> .	
No anticipated transportation impacts.	
Consistent with other PB rezonings in the area.	

**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: Wesley Curtis moved approval of the zoning map amendment.

SECOND: Arthur King

VOTE:

FOR: Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

---

A. Paul Norby, FAICP  
Director of Planning