



DOCKET #: W2857

PROPOSED ZONING:
GI-S (Recycling Center)

EXISTING ZONING:
LI

PETITIONER:
James M. Logan for property
owned by Same

SCALE: 1" represents 200'

STAFF: King

GMA: 3

ACRE(S): 1.81

MAP(S): 624870, 630870



May 24, 2006

James M. Logan
Advanced Dewatering Technology
2660 Kecoughtan Road
Pfafftown, NC 27040

RE: ZONING MAP AMENDMENT W-2857

Dear Mr. Logan:

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
Stephen G. Calaway, 1330 Ashley Square, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: May 24, 2006
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 James M. Logan from LI to GI-S (Recycling Center)

SUMMARY OF INFORMATION:

Zoning Map Amendment of James M. Logan from LI to GI-S (Recycling Center): property is located on the southwest side of Indiana Avenue, northwest of Parkwood Avenue (Zoning Docket W-2857).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE
Zoning Petition of James M. Logan, Docket W-2857

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 GI-S (Recycling Center) the zoning classification of the following described property:

All that parcel of land lying in Winston Township, County of Forsyth and State of North Carolina containing 1.80917 acres, more or less, as shown on survey by Thomas A. Riccio, Professional Land Surveyor, described as follows:

Beginning at an iron stake lying in the southwest right-of-way line of Indiana Avenue, northwest corner of the property of Tar Heel Paving Co., Inc. (Tax Block 2035, Lot 113) and running thence south 36° 38' 19" west 225.53 feet to an iron stake located in the right-of-way line of the Southern Railway; running thence with the railroad north 35° 23' 00" west 478.13 feet to a point; running thence north 54° 28' 51" east 137.10 feet to a point in Indiana Avenue; thence running with the right-of-way line of Indiana Avenue south 45° 36' 35" east 206.56 feet to a point and continuing south 46° 38' 01" east 209.60 feet to the place of BEGINNING.

Tax Block 2036, Lot 101B and part of Lots 02A and 102.

Section 2. This Ordinance is adopted after approval of the site plan entitled James M. Logan/Advanced Dewatering Technology and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, 20__ to James M. Logan.

Section 3. The City Council 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 James M. Logan/Advanced Dewatering Technology. 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 City Council

of the City of Winston-Salem

The City Council 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 James M. Logan, (Zoning Docket W-2857). 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 GI-S (Recycling Center), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the GI-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 BUILDING PERMITS:**
 - a. Developer shall petition the City of Winston-Salem to close both unopened and unnamed rights-of-way.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Developer shall install sidewalks along the frontage of Indiana Avenue to the specifications of the City of Winston-Salem Public Works Department.
 - b. Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department.
- **OTHER REQUIREMENTS:**
 - a. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet.
 - b. All on site lighting shall be a maximum of 18 feet tall and shall be of the "shoebox" type or otherwise designed not to cast direct light on adjacent properties.
 - c. Any use of the property shall be conducted indoors. Outdoor activity shall be limited to ingress/egress, deliveries, and general maintenance of the property.
 - d. The use of the site shall be specifically limited to the dewatering operation referenced on the site plan. Other forms/types of recycling shall not be allowed.

**CITY-COUNTY PLANNING BOARD STAFF
STAFF REPORT FOR: Docket # W-2857
May 11, 2006**

PETITION INFORMATION			
Docket #	W-2857		
Staff	Aaron King		
Petitioner(s)	James M. Logan		
Owner(s)	Same		
Subject Property	Tax Lot 101B, and portions of Tax Lots 2A and 102, Tax Block 2036		
Type of Request	Special use rezoning request from LI to GI-S for a recycling center.		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial) to GI-S (General Industrial – SPECIAL USE). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Recycling Center 		
Zoning District Purpose Statement	<p>The GI District is primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities. The district is established for the purpose of designating appropriate locations and establishing development regulations for uses which may have significant environmental impacts or which require special measures to ensure compatibility with adjoining properties. The district is established to provide locations for major developments in Growth Management Areas 1, 2, and 3.</p>		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(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.		
GENERAL SITE INFORMATION			
Location	Southwest side of Indiana Avenue across from Parkwood Avenue		
Jurisdiction	City of Winston-Salem		
Ward(s)	North		
Site Acreage	Approximately ± 1.81 acres		
Current Land Use	Vacant industrial buildings		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	LI	Industrial buildings; vacant land
	East	RS-9	SF homes
	South	LI	Various industrial uses
	West	GI	Railroad tracks; existing industrial operations

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Yes, the site is located adjacent to LI and GI zoning.			
Physical Characteristics	The subject property is an existing developed site. The topography of the site is relatively flat and there are no streams or wetlands.			
Proximity to Water and Sewer	The subject property will be served by public water and public sanitary sewer.			
Stormwater/ Drainage	No known issues			
Watershed and Overlay Districts	The subject property is not located within a water supply watershed.			
Analysis of General Site Information	The site contains two existing industrial buildings that appear to be vacant. The proposed site plan mirrors the existing site conditions with the addition of parking and other minor modifications. This site was part of a previous rezoning request (W-2816) that was withdrawn at the November 2005 PB meeting. That request did not meet the minimum one acre lot size requirement of the GI zoning district. This request includes the previous site and a small amount of additional acreage needed to meet the one acre requirement. The site contains no streams or wetlands and poses no development issues.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Indiana Avenue	Major Thoroughfare	+/- 390 feet	16,000	23,900
Proposed Access Point(s)	One access point onto Indiana Avenue.			
Planned Road Improvements	The Thoroughfare Plan recognizes Indiana Avenue as being an adequate cross section (but recommends the addition of sidewalk).			
Trip Generation - Existing/Proposed	<u>Existing Zoning: LI</u> 29,328 / 1,000 x 6.97 (General Light Industrial Trip Rate) = 65 Trips per Day <u>Proposed Zoning: GI-S</u> 29,328 / 1,000 x 6.97 (General Light Industrial Trip Rate) = 65 Trips per Day			
Sidewalks	The Interdepartmental Staff has requested sidewalks along Indiana Avenue.			
Transit	Route 40 runs along Indiana Avenue.			
Traffic Impact Study (TIS)	Not required			

Analysis of Site Access and Transportation Information	The site plan proposes one access point onto Indiana Avenue at its existing location. Trip generation for this request should be consistent with what is allowed under the existing LI zoning.
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Condition to close unopened right-of-ways • Condition for sidewalk along Indiana Avenue • Repair any damaged curb and gutter
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	GMA 3 (Suburban Neighborhoods)
Relevant Legacy Recommendations	One of the objectives of <i>Legacy</i> (pg.78-79) is the redevelopment of abandoned industrial and brownfield sites. Some of the benefits that <i>Legacy</i> mentions regarding the redevelopment of abandoned industrial sites are: <ul style="list-style-type: none"> • By rehabilitating derelict and underutilized properties which are currently fiscal and social liabilities, these abandoned industrial and brownfield sites can again become assets to the local tax base and positive contributors to the overall community image. • These abandoned industrial sites are typically located in established urban locations, and are often more accessible than “greenfields” by public transportation and are more conveniently located near other types of public infrastructure. • Since required infrastructure is already in place, the public costs to revitalize such sites is often less than the short or long term costs of developing suburban fringe sites.
Relevant Area Plan(s)	<i>North Suburban Area Plan (2005)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The <i>North Suburban Area Plan</i> recommends the site for commercial use.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(S)(4) - Is the requested action in conformance with Legacy?
	Yes
Analysis of Conformity to Plans and Planning Issues	The request is in conformance with the recommendations of <i>Legacy</i> . The proposed recycling center would make use of deteriorating industrial buildings that appear to have been unoccupied for some time. <i>Legacy</i> recognizes that by reusing existing industrial sites, they can become assets to the local tax base, positive contributors to the overall community image, and are typically located near existing infrastructure reducing the cost of redevelopment. While the <i>NSAP</i> recommends that site be used for commercial use, staff feels that the proposed industrial use would also be appropriate, given the existing surrounding zoning and land uses.

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2816	LI to GI-S	Withdrawn at November 10, 2005 PB meeting	Includes subject property	0.88	Denial	NA
W-2702	LI to HB-S	Approved August 2, 2004	Southeast	1.1 acres	Approval	Approval
W-2477	LI to HB	Approved July 16, 2004	East	0.42 acres	Approval	Approval
W-2304	LI to HB-S	Approved April 5, 1999	Southeast	2.01 acres	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	29,328 sf.		NA			
Parking	Required	Proposed		Layout		
	5 spaces	5 spaces		NA		
Building Height	Maximum			Proposed		
	70 feet/unlimited			1-story		
Impervious Coverage	Maximum			Proposed		
	100%			62%		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.4(C) General Industrial District 					
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:		Yes			
	(B) Environmental Ord.		Yes			
	(C) Subdivision Regulations		NA			
Analysis of Site Plan Compliance with UDO Requirements	<p>The site plan indicates that the two existing industrial buildings will be used for a recycling center. The specific type of recycling appears to be a process by which grease from restaurants is recycled to remove water from the grease, with the remaining solids being deposited at the landfill. Staff feels that if all of the recycling activity on-site is contained indoors, it should help to mitigate any potential impacts generated by this operation.</p>					

Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Signage condition • Lighting condition • Condition that activity be conducted indoors • Condition to specifically limit the site to the dewatering use
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request is in conformance with the recommendations of <i>Legacy</i> that address reuse of brownfield sites.	The request may generate some unwanted impacts to adjacent residents.
This request would be a good re-investment in a site that appears to have been deteriorating for some time.	The request does intensify the industrial zoning for the property.
GI-S zoning is consistent with the surrounding zoning and land uses.	GI zoning is not specifically in conformance with the <i>NSAP</i> .
The recommended conditions of approval should help to mitigate potential unwanted impacts to surrounding residents.	
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL	
<u>PRIOR TO THE ISSUANCE OF BUILDING PERMITS:</u> <ol style="list-style-type: none"> a. Developer shall petition the City of Winston-Salem to close both unopened and unnamed rights-of-way. 	
<u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u> <ol style="list-style-type: none"> a. Developer shall install sidewalks along the frontage of Indiana Avenue to the specifications of the City of Winston-Salem Public Works Department. b. Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department. 	
<u>OTHER REQUIREMENTS:</u> <ol style="list-style-type: none"> a. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet. b. All on site lighting shall be a maximum of 18 feet tall and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent properties. c. Any use of the property shall be conducted indoors. Outdoor activity shall be limited to ingress/egress, deliveries, and general maintenance of the property. d. The use of the site shall be specifically limited to the dewatering operation referenced on the site plan. Other forms/types of recycling shall not be allowed. 	

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: Clarence Lambe moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Paul Mullican

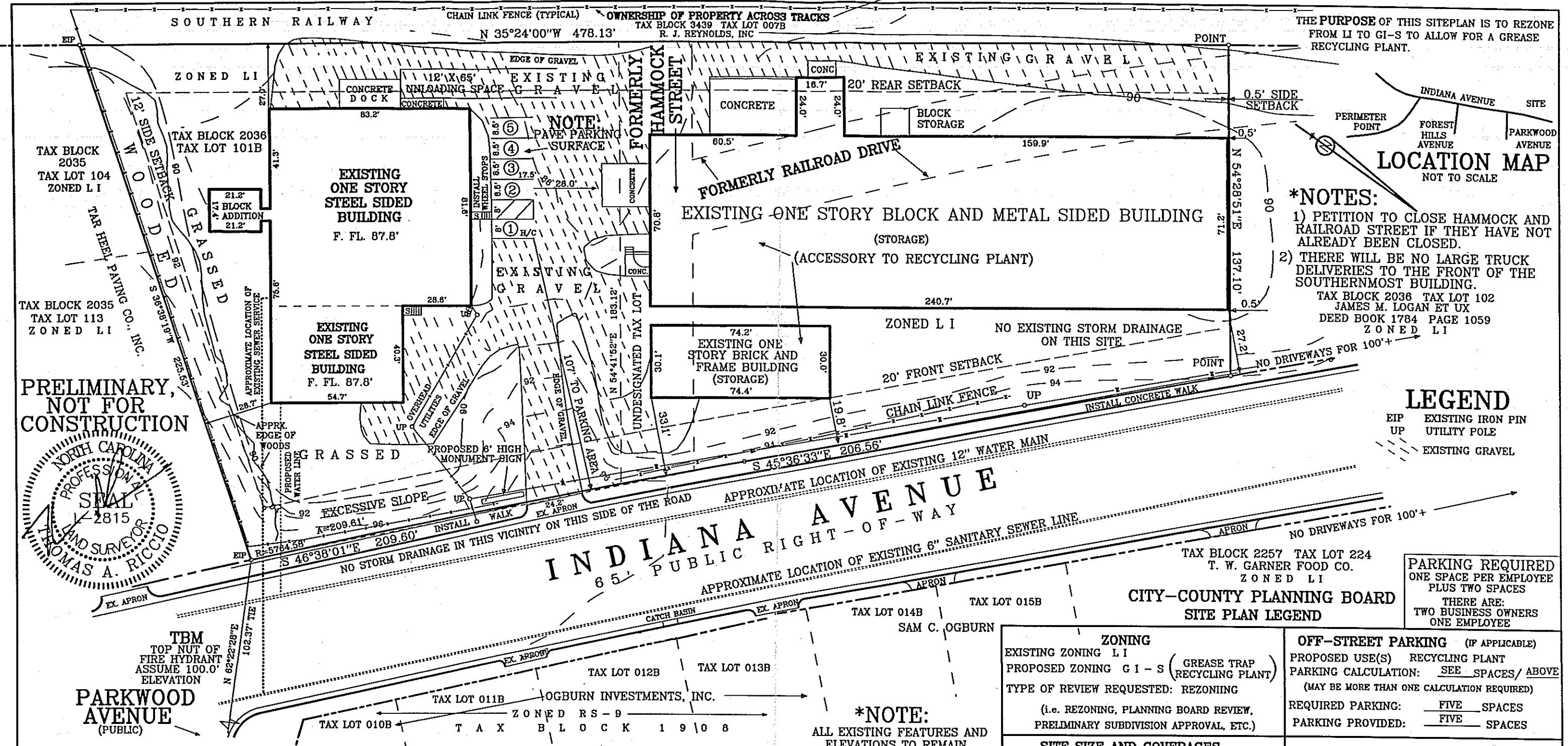
VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning



SURVEY AND SITEPLAN PREPARED FOR
ADVANCED DEWATERING TECHNOLOGY
 SHOWING TAX LOT 101B AND PART OF
 TAX LOTS 002A AND 102 OF TAX BLOCK 2036
 4000 INDIANA AVENUE
 ONE INCH = FORTY FEET
 WINSTON TOWNSHIP * FORSYTH COUNTY * NORTH CAROLINA
 DATE: MARCH 06TH 2006 DRAWING NUMBER 05259
 SURVEY PREPARED BY
THOMAS A. RICCIO AND ASSOCIATES
 440 WEST END BOULEVARD
 WINSTON-SALEM, NORTH CAROLINA 27101
 336-773-0211 FAX - 773-0214
 tricciassoc@triad.rr.com

CONTACT INFORMATION

OWNER
JAMES R. LOGAN
 4036 INDIANA AVENUE
 WINSTON-SALEM, N.C.
 27105-3413
 744-0984
 FAX 767-8930

PETITIONER
ADVANCED DEWATERING TECHNOLOGY
 2660 KECOUGHTAN ROAD
 PFAFFTOWN, N.C. 27040
 922-4120
 FAX 372-2534

CITY OF WINSTON-SALEM JURISDICTION

CITY-COUNTY PLANNING BOARD SITE PLAN LEGEND	
ZONING EXISTING ZONING LI PROPOSED ZONING GI-S (GREASE TRAP RECYCLING PLANT) TYPE OF REVIEW REQUESTED: REZONING (i.e. REZONING, PLANNING BOARD REVIEW, PRELIMINARY SUBDIVISION APPROVAL, ETC.)	OFF-STREET PARKING (IF APPLICABLE) PROPOSED USE(S) RECYCLING PLANT PARKING CALCULATION: SEE SPACES/ ABOVE (MAY BE MORE THAN ONE CALCULATION REQUIRED) REQUIRED PARKING: FIVE SPACES PARKING PROVIDED: FIVE SPACES
SITE SIZE AND COVERAGES TOTAL ACREAGE: 1.80917±ACRES SITE COVERAGES: BUILDING TO LAND 37% PAVEMENT TO LAND 25% OPEN SPACE 38% TOTAL 100% BUILDING SQUARE FOOTAGE: 29,328 BUILDING HEIGHT ONE STORY	OFF-STREET LOADING (IF APPLICABLE) REQUIRED LOADING/UNLOADING SPACES: ONE LOADING/UNLOADING SPACES PROVIDED: ONE SIZE: 12 FT. X 65 FT.
INFRASTRUCTURE WATER: <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE SEWER: <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE STREETS: <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE	BUFFERYARDS (IF APPLICABLE) ADJOINING ZONING: LI TYPE REQUIRED: NONE WIDTH PROVIDED: FENCE OPTION YES NO
DENSITY CALCULATIONS (IF APPLICABLE) NUMBER OF UNITS OR LOTS: UNITS/LOTS DENSITY: UNITS/ ACRE OR LOTS/ACRE	

W-2857 "Revised" ZONING FILE COPY