



**DOCKET #:** W2951

**PROPOSED ZONING:**  
GI-L

**EXISTING ZONING:**  
LB-S

**PETITIONER:**  
James D. Pence for property  
owned by Same

**SCALE:** 1" represents 600'

**STAFF:** Roberts

**GMA:** 3

**ACRES:** 4.87

**NEAREST  
BLDG:** 28' south

**MAP(S):** 660834

**F**

September 19, 2007

James D. Pence  
1946 Union Cross Road  
Winston-Salem, NC 27107

RE: ZONING MAP AMENDMENT W-2951

Dear Mr. Pence:

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  
Carolyn W. Scogin, Esq./Blanco Tackabery Combs & Matamoros, PA, P. O. Drawer 25008,  
Winston-Salem, NC 27114-5008

**ACTION REQUEST FORM**

**DATE:** September 19, 2007  
**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 D. Pence

**SUMMARY OF INFORMATION:**

Zoning Map Amendment of James D. Pence from LB-S to GI-L (Manufacturing C; Wholesale Trade B; and Offices, Miscellaneous): property is located on the south side of Union Cross Road across from Piedmont Memorial Drive (Zoning Docket W-2951).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of James D. Pence, Docket W-2951

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 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 LB-S (Offices, Miscellaneous; Professional Office; and Banking and Financial Services) to GI-L (Manufacturing C; Wholesale Trade B; and Offices, Miscellaneous) the zoning classification of the following described property:

BEGINNING at an iron stake in the Southern margin of the right of way of Union Cross Road, said iron stake being in the Northeast corner of the Crestview Baptist Church property as recorded in Forsyth County Registry, Deed Book 916, at page 64, and furthermore being in the Northwest corner of the herein described tract (Northwest corner of existing Tax Block 5621, Lot 68C); thence from said beginning iron stake and running along the Southern margin of the right of way of Union Cross Road, South 85 degs. 00' East 599.45 feet (to the approximate location of the existing GI zoning line); thence South 4 degs. 50' 30" West, 274.48 feet; thence South 83 degs. 35' West 598.64 feet to an iron stake in the Eastern line of the aforementioned Crestview Baptist Church property (Southwest corner of existing Tax Block 5621, Lot 68C); thence with the Eastern line of the aforementioned Crestview Baptist Church property, North 4 degs. 23' 20" East 394.87 feet to an iron stake (Northwest corner of existing Tax Block 5621, Lot 68C), the point and place of Beginning.

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 James D. Pence.

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 known as James D. Pence. 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 James D. Pence, (Zoning Docket W-2951). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Manufacturing C; Wholesale Trade B; and Offices, Miscellaneous, 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-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:

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**

- a. Developer shall install a 15' Type II bufferyard along the frontage of Union Cross Road.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>			
<b>Docket #</b>	W-2951		
<b>Staff</b>	Gary Roberts, AICP		
<b>Petitioner(s)</b>	James D. Pence from LB-S to GI-L		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	Tax Lots 68C and a portion of 45C / Tax Block 5621		
<b>Type of Request</b>	Special Use Limited rezoning to GI-L		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> LB-S Limited Business District (Offices, Miscellaneous; Professional Office; and Banking and Financial Services) <b>to</b> GI-L General Industrial Special Use Limited District. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• (Manufacturing C; Wholesale Trade B; and Offices, Miscellaneous)</li> </ul>		
<b>Zoning District Purpose Statement</b>	<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>		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	South side of Union Cross Road across from Piedmont Memorial Drive		
<b>Jurisdiction</b>	City of Winston-Salem		
<b>Ward(s)</b>	Southeast		
<b>Site Acreage</b>	Approximately ± 4.87 acres		
<b>Current Land Use</b>	Log home manufacturing and sales		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	RS-20	Single family homes across Union Cross Road
	East	GI & IP	Former Winston-Salem Air Force Radar Station and Military Housing District
	South	GI	Lyndon Steel

	West	AG	Agricultural use	
<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>			
	The proposed uses are compatible with the Lyndon Steel site zoned GI to the south of the subject property. The provision of a 15' Type II Bufferyard along the Union Cross Road frontage of the site will help to minimize the impact on the RS-20 zoned properties across said road.			
<b>Physical Characteristics</b>	The site is predominately developed and has a gentle slope downward to the southwest.			
<b>Proximity to Water and Sewer</b>	Public water and sewer is available.			
<b>Watershed and Overlay Districts</b>	The subject property is not within a water supply watershed.			
<b>Historic, Natural Heritage and/or Farmland Inventories</b>	<p>Located directly east of the proposed rezoning is the Former Winston-Salem Air Force Radar Station and Military Housing District. Determined eligible for the National Register in 2006, the site is significant for its association with Cold War era defense strategy in the United States, and is significant at a state and national level. Radar stations were a key element of national defense policy in the Cold War era, supplying the manpower and hardware necessary to deter nuclear threat to the United States. The main radar station (adjacent to the rezoning petition site) displays a remarkable degree of integrity of design, materials, and workmanship. Despite some cosmetic changes to individual houses, the layout of the housing development and the overall plan and form of each house remains intact. (The housing site is located on the north side of Union Cross Road, west of Swaim Road.) Historic Resources staff hopes that the proposed rezoning will not negatively impact this National Register-eligible site.</p>			
<b>Analysis of General Site Information</b>	The subject property is suitable for development within the proposed GI-L 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>
Union Cross Road	Major Thoroughfare	596'	2,000	11,100
<b>Proposed Access Point(s)</b>	The site currently has access onto Union Cross Road and Atwill Drive which is located directly to the east. The approved LB-S site plan shows a proposed relocation of the said existing driveway onto Union Cross Road approximately 240' to the west.			
<b>Planned Road Improvements</b>	The Thoroughfare Plan recommends that this section of Union Cross Road be improved to a three lane section with widened outside lanes, curb and gutter and sidewalks.			

<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: LB-S</u> ±34,800 sf / 1,000 x 11.07 (General Office Building Trip Rate) = 385 Trips per Day</p> <p><u>Proposed Zoning: GI-L</u> No trip generation is available for the proposed special use limited zoning district.</p>
<b>Sidewalks</b>	The Thoroughfare Plan recommends sidewalks along Union Cross Road.
<b>Transit</b>	Not available
<b>Analysis of Site Access and Transportation Information</b>	The approved LB-S site plan resulted in the dedication of 40' of right-of-way from the centerline of Union Cross Road. Access to the site is adequate.
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	Growth Management Area 3 (Suburban Neighborhoods)
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>• Suburban Neighborhoods have the most undeveloped land where much of the future residential, commercial and industrial development should occur. All of the Metro Activity Centers are located within this area. This area is appropriate for future urban or suburban development. (p. 30)</li> <li>• Increase economic vitality through diversification by expanding existing businesses; attracting new, high paying employers; and promoting a business climate which supports entrepreneurial innovation. (p. 79)</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>Union Cross/Southeast Forsyth County Area Plan, (2003/2004)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• The area plan recommends Conventional Subdivisions for the subject property.</li> <li>• Recognizes the need to identify large Greenfield sites in future growth areas, such as southeastern Forsyth County, for business park development. (p.29)</li> <li>• Focus industries and commercial development in planned business areas and at highway interchanges. (p.32)</li> <li>• Business Parks should . . . consist of landscaped buffers that screen the development from public streets and adjacent development. (p.32)</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>		While the <i>Union Cross/Southeast Forsyth County Area Plan</i> recommends conventional subdivision development for the subject property, the current zoning is LB-S and includes the use of Banking and Financial Services. Therefore, Planning staff is comfortable with the proposed GI-L designation which includes a very limited list of requested uses and a 15' Type II bufferyard along the frontage of Union Cross Road.				
<b>Generalized Recommended Conditions</b>		<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b> <ul style="list-style-type: none"> <li>• Bufferyard condition</li> </ul>				
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1036	R-6 & B-3 to B-3-S (LB-S)	Approved 1-11-93	Subject property	5.43	Approval	Approval
F-552	R-6 to B-3 (GI)	Approved 7-28-80	Directly south	8.45	Denial	Denial
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The request would allow for the expansion of an established industrial operation which adjoins the site.			The request will extend GI-L zoning across the street from RS-20 zoned properties.			
The request includes a limitation of only three uses and the installation of a 15' Type II bufferyard along the frontage of Union Cross Road.						
<b>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</b>						
The following proposed conditions are volunteered by the petitioner and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.						
<b><u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u></b>						
b. Developer shall install a 15' Type II bufferyard along the frontage of Union Cross Road.						

**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.

SECOND: Wesley Curtis

VOTE:

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

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning