



DOCKET #: W2953

PROPOSED ZONING:
GI

EXISTING ZONING:
RS9 and GI

PETITIONER:
Winston-Salem/Forsyth
County Schools and the
Airport Commission of
Forsyth County for property
owned by Forsyth County

SCALE: 1" represents 700'

STAFF: Roberts

GMA: 2

ACRES: 27.8

**NEAREST
BLDG:** 20' south

MAP(S): 636874

F

September 19, 2007

Winston-Salem Forsyth County Schools and the
Airport Commission of Forsyth County
Attn: Ken Kucirka
P. O. Box 2513
Winston-Salem, NC 27102

RE: ZONING MAP AMENDMENT W-2953

Dear Mr. Kucirka:

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
Bill Whiteheart, 3794 Williams Road, Lewisville, NC 27023
Gloria Whisenhunt, Chair of the Forsyth County Commissioners, Forsyth County
Government Building, 201 N. Chestnut Street, Winston-Salem, NC 27101
Eula Spainhour, 4808 Lansing Drive, Winston-Salem, NC 27105
James Madison Tatum, Sr., 3970 Burnham Circle, Winston-Salem, NC 27105

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 Winston-Salem Forsyth County Schools and the Airport Commission of Forsyth County for property owned by Forsyth County

SUMMARY OF INFORMATION:

Zoning Map Amendment of Winston-Salem Forsyth County Schools and the Airport Commission of Forsyth County for property owned by Forsyth County from RS-9 and GI to GI: property is located on the southeast corner of Lansing Drive and Henry Street (Zoning Docket W-2953).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Winston-Salem Forsyth County Schools
and the Airport Commission of Forsyth County
for property owned by Forsyth County, Docket W-2953

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 RS-9 and GI to GI the zoning classification of the following described property:

Tax Lot 111, Tax Block 3191

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-2953		
Staff	Gary Roberts, AICP		
Petitioner(s)	Winston-Salem Forsyth County Schools and the Airport Commission of Forsyth County		
Owner(s)	Forsyth County		
Subject Property	Tax Lot 111 / Tax Block 3191		
Type of Request	General Use rezoning to GI		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 Residential, Single Family District; 9,000 sf minimum lot size and GI General Industrial District to GI General Industrial District.</p> <p>NOTE: 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>		
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)?		
	<p>The subject request is an extension of a much larger industrially zoned area, which includes the Smith Reynolds Airport, located to the southwest which fronts along Lansing Drive and the railroad.</p>		
GENERAL SITE INFORMATION			
Location	Southeast corner of Lansing Drive and Henry Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	Northeast		
Site Acreage	Approximately ± 27.8 acres		
Current Land Use	The site is the location for the bus maintenance facility for the Winston-Salem Forsyth County Schools.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	Single family homes
	East	IP & RS-9	Carver School Road Branch Library and single family homes

	South	RS-9 and GI	Undeveloped property and single family homes	
	West	GI	Undeveloped property	
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?			
	The uses permitted under the proposed GI District are compatible with the uses allowed on the adjacent GI zoned properties. While the current industrial use of the subject property has been in operation for 40+ years, several other uses allowed generally in the GI District would not be compatible with the adjacent single family residential uses to the north, east and south.			
Physical Characteristics	The site is completely developed and has a gentle slope downward toward the southeast.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Stormwater/ Drainage	No known issues.			
Analysis of General Site Information	The developed site appears to have no development constraints other than its proximity to single family homes.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Lansing Drive	Minor Thoroughfare	1,182'	6,500	11,100
Henry Street	Local Street	913'	NA	NA
Rosa Street	Local Street	40'	NA	NA
Whitfield Road	Local Street	40'	NA	NA
Proposed Access Point(s)	The site currently has three driveway connections onto Lansing Drive.			
Planned Road Improvements	The Thoroughfare Plan recommends Lansing Drive be improved with widened lanes, on-street parking on one side, with curb and gutter and sidewalks.			
Trip Generation - Existing/Proposed	No trip generation rates available for either the existing or proposed general use zoning.			
Sidewalks	There are no sidewalks located in the general area.			
Transit	Not directly available to the site.			
Analysis of Site Access and Transportation Information	Access to the site is adequate. There are several platted, unopened streets which adjoin and project into the subject property which eventually should either be opened or petitioned for closure.			

CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	Growth Management Area 2 (Urban Neighborhoods)
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Stimulate redevelopment and increased economic activity on abandoned industrial and brownfield sites and in other areas of Forsyth County which have become less economically attractive. (p. 78) Economic Vitality: Promote economic development which is compatible with existing residential neighborhoods and other business developments. (p.77) Existing Neighborhoods: Care must be taken to bring in only appropriate nonresidential uses at a neighborhood scale. Encroachment of large scale or undesirable commercial uses is usually detrimental to neighborhoods. Protect residential areas from inappropriate commercial and industrial encroachment. (p.123)
Relevant Area Plan(s)	<i>Carver Road/Ogburn Station Development Guide</i> (1991)
Area Plan Recommendations	<ul style="list-style-type: none"> Recommended for Industrial Use in both existing and proposed Land Use maps. (pp.2 & 15, respectively)
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?
	See comments below
Analysis of Conformity to Plans and Planning Issues	<i>Legacy</i> recommends the protection of residential areas from inappropriate commercial and industrial encroachment. However, the <i>Carver Road/Ogburn Station Development Guide</i> recognizes the existing use and specifically recommends industrial use for the subject property. While the eastern portion of the subject property is currently zoned RS-9 and is adjacent to several single family homes, the site has been used intensively for school bus maintenance for several decades.

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1993	RS-9 to IP	Approved 10-2-95	Directly east	9.5	Approval	Approval
W-815	R-4 to I-3 (GI)	Denied 1-19-81	Directly south	4.08 acres (Tract A)	Approval	Denial

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
Request would extend the proper zoning to include the entire bus maintenance facility for the Winston-Salem Forsyth County Schools.	Request would extend general use GI zoning into an area which is bordered by several single family homes zoned RS-9.

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.**

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Bill Whiteheart, 3794 Williams Road, Lewisville, NC 27023

- Chris Veal, Deputy Director of the Airport Commission of Forsyth County, was present to assist Mr. Whiteheart.
- I'm here as Chairman of the Airport Commission. I must admit that as a Forsyth County Commissioner I review your reports. However, by simply reviewing the written record, one simply cannot appreciate the depth of deliberation and thoughtful consideration that we've had the opportunity to watch here today. I salute you for your service to this community.
- The majority of the Airport Commission's property is General Industrial in zoning and we view this simply as a house-keeping measure.
- Chris and I will be happy to answer any questions you may have.
- All of the subject property has been owned by the Airport Commission for at least the twelve years I have been serving the Commission.

Gloria Whisenhunt, Chair of the Forsyth County Commissioners, Forsyth County Government Building, 201 N. Chestnut Street, Winston-Salem, NC 27101

- I was a School Board member and am here to support the School Board.
- I also was an Airport Commission member and am here to support the Airport.
- This is simply a house-keeping item.
- You have to know that I support this or I would never have sat through a public hearing that I didn't have to attend!

Ken Kucirka, P. O. Box 2513, Winston-Salem, NC 27102

- I represent the Winston-Salem/Forsyth County Schools. We are not the actual owners of the site. That is the Airport Commission of Forsyth County.
- We have been tenants there for a very, very long time.
- This is just a house-keeping item as Commissioner Whiteheart and Chairman Whisenhunt have said. We have talked with Inspections and they suggested we request rezoning to remain in compliance for the uses we actually do on the site.
- We will work with the neighbors to ensure that we make the site as compatible with the neighborhood as we can.
- Thank you.

AGAINST:

Eula Spainhour, 4808 Lansing Drive, Winston-Salem, NC 27105

- This is the first time for me and I'm kind of nervous.
- What I'm concerned about is that I don't understand why the buses were ever put there in the first place. The land was bought for the expansion of the northeast runway. They bought four houses across the street and five houses on my side of the street but they left me sitting there. I don't understand that.
- For 40 years now I've had that dust thrown on me.
- The fumes from those buses are bad, especially as you get towards winter.
- We've tried to get them to pave that. That would help a lot.
- The dust is coming from the rock. It's been run over so much.
- The dust comes over to my house and it's just not good for you to breath that dust.
- They've brought the value of our property down. I couldn't sell my house no matter what to go someplace else.
- I would certainly love to get away from there. I feel like I'm in captivity.

Chairman King noted that this zoning request will not change anything that is being done of the site.

- I moved here when I was ten and no one had ever heard of a jet before.
- I'm so nervous I can't think of everything I wanted to say, but I feel like someone should help me to get away from this area.
- If anybody has any idea what I can do, I'd be glad to listen.

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. For the school system to make any changes to this site, even to improve conditions there, this rezoning would have to be approved so it would be in compliance with zoning regulations.

2. In response to a question from the Planning Board, Mr. Kucirka stated that this request is because the WS/FC School system wants to make some upgrades to the site. The site is legally nonconforming now, but any changes will mean it has to be brought into complete compliance and would therefore require a new zoning district.

James Madison Tatum, Sr., 3970 Burnham Circle, Winston-Salem, NC 27105

- I grew up just south of this site and adjoin the site. I still own that property.
- We thought this was already zoned correctly.
- This needs to be zoned for business because it's the proper thing to do.
- Ms. Spainhour thought the Airport Authorities were going to buy her property when her father was still living. Her house sits directly in the north runway glide path and all the traffic comes right above her house.

3. Several board members expressed appreciation and understanding for Ms. Spainhour and her situation, but also acknowledged that this subject is outside the purview of the Planning Board.
4. Jeff Vaughn, Inspections Division, stated that this rezoning would require a type IV bufferyard against any residential zoning. The lighting conditions would be the half-candle at property lines.

MOTION: Clarence Lambe moved approval of the zoning map amendment.

SECOND: Jerry Clark

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning