



DOCKET #: W2713

PROPOSED ZONING:
GI

EXISTING ZONING:
LI-S

PETITIONER:
Floyd S. Burge
Construction Co. for
property owned by Same

SCALE: 1" represents 400'

STAFF: Douglas

GMA: 2

ACRE(S): 1.9

MAP(S): 636846



August 25, 2004

Floyd S. Burge Construction Co.
c/o J. Kenneth Burge, President
720 N. Pine Valley Road
Winston-Salem, NC 27106

RE: ZONING MAP AMENDMENT W-2713

Dear Mr. Burge:

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, AICP
Director of Planning

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

ACTION REQUEST FORM

DATE: August 25, 2004
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Floyd S. Burge Construction Co.

SUMMARY OF INFORMATION:

Zoning map amendment of Floyd S. Burge Construction Co. from LI-S to GI: property is located on the north side of Tower Street east of Martin Luther King Jr. Drive (Zoning Docket W-2713).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Floyd S. Burge Construction Co.,
Docket W-2713

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-S (Child Day Care Center) to GI the zoning classification of the following described property:

Tax Block 1545, Tax Lots 201 and 103B

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2713
STAFF: Aldea Douglas

Petitioner(s): Floyd S. Burge Construction Company
Ownership: Same

REQUEST

From: LI-S Limited Industrial District (Child Day Care Center)
To: GI General Industrial District

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

NOTE: This is a general use zoning petition; therefore, ALL uses permitted in the above requested district should be considered.

Acreage: 1.90

LOCATION:

Street: North side of Tower Street between Martin Luther King Jr., Drive and Peachtree Street.
Jurisdiction: City of Winston Salem.
Ward: Southeast.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Brick building

Adjacent Uses:

- North- Railroad right of way and a wooded area zoned GI.
- East- General contractor company zoned GI.
- South- Forest Park, across Tower Street and Forest Park Elementary School.
- West- Tuttle Lumber zoned GI.

GENERAL AREA

Character/Maintenance: The area has a generally industrial character north of Tower Street and a residential character south of Tower Street, with Forest Park providing significant open green space.

Development Pace: Slow

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Because it is a general use petition, this proposal's impact to the site's existing physical features cannot be determined at this time.

Topography: The subject property experiences only a small elevation change, rising from about 894 feet in the northwestern section of the site up to about 900 feet in the southeastern section of the site.

Streams: Salem Creek lies about 315 feet to the northeast of the subject property.

Vegetation/habitat: Small amounts of vegetation are present along the northern and western section of the subject property.

Floodplains: None

Wetlands: None – *Winston-Salem East Quad*

Environmental Resources Beyond the Site: Because it is a general use petition, this proposal's impact to environmental resources beyond the site cannot be determined at this time

Water Supply Watershed: The subject property is not located in a water supply watershed.

TRANSPORTATION

Direct Access to Site: Martin Luther King Jr. Drive; Tower Street

Street Classification: Martin Luther King Jr. Drive – Major Thoroughfare; Tower Street – Collector Road

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Martin Luther King Jr. Drive between Reynolds Park Road and Tower Street =
10,000/15,600

Planned Road Improvements: None

Sidewalks: South side of Tower Street

Transit: None

Bicycle Route: None

HISTORY

Relevant Zoning Cases:

1. W-2111; approved December 10, 1996; from GI to LI-S (Child Day Care Center); current site; north side of Tower Street between Martin Luther King, Jr. Drive and Peachtree Street; 1.90 acres; Planning Board recommended approval. Staff recommended denial with site plan approval.
2. W-2467; approved May 7, 2001; from IP-S (Clubs and Lodges, Private) to LI and RS-9; west side of Peachtree Street (unopened) north of Simmons Street; 15.36 acres; Planning Board recommended approval; staff recommended denial.
3. W-1236; approved March 4, 1985; from R-4 to R-3-S (Dwellings: Two Family); west side of Stadium Drive (Hwy 109) north of Allen Street; 0.38 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): GMA 2, Urban Neighborhoods

Relevant Comprehensive Plan Recommendation(s): *Legacy* recognizes the scarcity of “greenfield” industrial sites and recommends stimulating redevelopment and increased economic activity on older, abandoned, or underdeveloped industrial sites.

Area Plan/Development Guide: *Southeast Winston-Salem Area Plan (SEAP)* (2002).

Relevant Development Guide Recommendation(s): The *SEAP* identifies the site as existing institutional land use on industrially zoned property. There is not a specific recommendation for this site. However, the *SEAP* recommends consolidating industrial uses at existing locations.

ANALYSIS

The subject request is to rezone a 1.9 acre parcel on the north side of Tower Street between Martin Luther King, Jr. Drive and Peachtree Street to General Industrial (GI). The site is currently zoned Limited Industrial District - Special Use [LI-S (Child Day Care Center)], and is bounded on three sides by property that is zoned GI. This property was zoned GI before it was rezoned in 1996 to LI-S (Child Day Care Center). At the time, staff was concerned about recommending a Day Care Center for a site that holds the potential for hazardous materials and potentially dangerous activities to be located nearby.

The site is bounded on three sides by property that is zoned General Industrial (GI). This area was once a thriving industrial location, served by rail and nearby collector streets. The GI zone in which it is located contains a number of structures once heavily utilized but whose use has diminished in recent years. GI zoning allows a wide range of industrial uses within the district, many of which require significant separation from other non-industrial activities.

Directly south of the site across Tower Street is Forest Park Elementary school and Forest Park which adjoins an older residential neighborhood that is itself seeking revitalization. Tower Street appears to be the dividing line between residential and industrial activity.

The *Southeast Winston-Salem Area Plan (SEAP)* identifies the site as existing institutional land use on industrially zoned property. *SEAP* recommends consolidating industrial uses at existing locations. *Legacy* recognizes the scarcity of “greenfield” industrial sites and recommends stimulating redevelopment and increased economic activity on older, abandoned, or underdeveloped industrial sites. Staff feels that rezoning this site back to GI is compatible with uses found in the vicinity of the site.

FINDINGS

1. *Legacy* recognizes the scarcity of “greenfield” industrial sites and recommends stimulating redevelopment and increased economic activity on older, abandoned, or underdeveloped industrial sites.

2. *SEAP* recommends consolidating industrial uses at existing locations.
3. GI is compatible with uses found in the vicinity of the site.

STAFF RECOMMENDATION

Zoning: **APPROVAL**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

SECOND: Paul Mullican

VOTE:

FOR: Clark, Eickmeyer, Folan, King, Lambe, Mullican, Norwood, Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning