

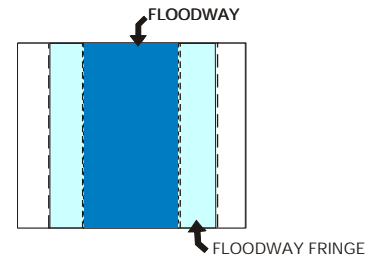
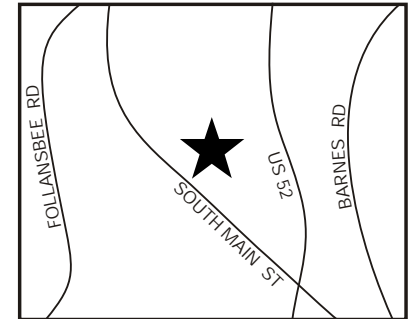
DOCKET #: W2633

PROPOSED ZONING:
GB

EXISTING ZONING:
HB

PETITIONER:
Kendall Johnson

LOCATION MAPS:



SCALE: 1" represents 200'

STAFF: Galloway

GMA: 3

ACRE(S): 2.92

MAP(S): 630826



July 23, 2003

C. Kendall Johnson
4629 S. Main Street
Winston-Salem, NC 27127

RE: ZONING MAP AMENDMENT W-2633

Dear Mr. Johnson:

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: July 23, 2003
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 C. Kendall Johnson

SUMMARY OF INFORMATION:

Zoning map amendment of C. Kendall Johnson from HB to GB: property is located on the northeast side of Main Street northwest of Higher Ground Drive; property consists of ±2.92 acres and is Tax Lot 2M, Tax Block 2706 as shown on the Forsyth County Tax Maps (Zoning Docket W-2633).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of C. Kendall Johnson, Docket W-2633

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 HB to GB the zoning classification of the following described property:

Tax Block 2706, Tax Lot 2M

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2633
STAFF: Suzy Gallaway

Petitioner(s): Kendall Johnson
Ownership: Same

REQUEST

From: HB (Highway Business)
To: GB (General Business)

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: 2.92 acres

LOCATION:

Street: Northeast side of Main Street west of US 52 and north of the intersection of Main Street and US 52.

Jurisdiction: City of Winston-Salem.

Ward: Southeast.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Commercial structure, zoned HB.

Adjacent Uses:

- Northeast - Vacant property, zoned GB.
- Southeast - Vacant property, zoned HB.
- Southwest - Manufactured Home Park, zoned MH.
- Northwest - Residential Structures, zoned RS-9.

GENERAL AREA

Character/Maintenance: Mixture of uses in the area.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site is partially developed.

Topography: The subject property has an approximate change in elevation of 48.7 feet, from a high of about 806.6 feet in the northeast corner to a low of about 757.9 feet in the western corner of the property.

Streams: South Fork Muddy Creek is approximately 800 to 1000 feet to the northwest of the subject property.

Vegetation/habitat: The subject property is fully vegetated from the rear of the existing building to the northeastern border of the property.

Environmental Resources Beyond The Site: As the proposed zoning is for a general use, impacts 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: Main Street.

Street Classification: Main Street – Minor Thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day): Main Street between Follansbee Road and US 52 = 4,100/16,100.

HISTORY

Relevant Zoning Cases:

1. W-1422; B-3 to I-2; approved March 9, 1987; 30.36 acres; north of the intersection of South Main Street and US 52 on the east side of South Main Street; Planning Board and staff recommended approval.
2. W-684; R-6 to B-3; approved January 9, 1979; 3.7 acres; east side of South Main Street southwest of South Fork Creek; Planning Board recommended approval staff recommended denial.
3. F-131; R-6 to B-3; December 15, 1969; 5.5 acres; southwest side of US 52 (across Main Street from current site); Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): One of the recommendations in *Legacy* is to protect existing neighborhoods from inappropriate commercial and industrial development.

Area Plan/Development Guide: The site is not within the boundaries of a development guide or an area plan.

ANALYSIS

The current request is to rezone 2.92 acres from Highway Business to General Business. The petitioner utilizes the property for retail uses, but also needs to have “Manufacturing, A” available as a permitted use to be in zoning compliance with his business operation. To have both of these abilities he is seeking GB zoning, as HB does not allow for “Manufacturing, A”. “Manufacturing, A” allows for the assembly of motorcycles, bicycles, medical instruments and other low intensity assembly uses.

The area is commercial and industrial on northeast side of South Main Street with some residential properties as well (same side as current request) and a mixture of commercial and residential uses on the southwest side. The properties on the same side of Main Street as this site and including this site were rezoned to commercial in 1969. The GB property adjacent to the request site was rezoned to I-2 in 1987, and then converted to GB in 1995 with the adoption of the UDO.

As the site was long ago identified as being a commercial site and is adjacent to GB zoning, staff is of the opinion that the request is consistent with other development in the area. Staff recommends approval.

FINDINGS

1. The petitioner utilizes the property for retail uses, but also needs to have “Manufacturing, A” available to be in zoning compliance with existing business operations.
2. The petitioner is seeking GB zoning, as HB does not allow “Manufacturing A”.
3. Site was long ago identified as being a commercial site and is adjacent to other GB zoning.
4. The request is consistent with development in the area.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Jimmy Norwood moved approval of the zoning map amendment.

SECOND: Philip Doyle

VOTE:

FOR: Bost, Clark, Doyle, Eickmeyer, Folan, Glenn, King, Lambe, Norwood

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning