



**DOCKET #:** W2646

**PROPOSED ZONING:**  
LI

**EXISTING ZONING:**  
RS9

**PETITIONER:**  
T. W. Garner Food Company

**SCALE:** 1" represents 200'

**STAFF:** Gallaway

**GMA:** 3

**ACRE(S):** TRACT A: 1.4  
TRACT B: .33

**MAP(S):** 624870, 630870,  
630874, 624870



September 24, 2003

T. W. Garner Food Company  
4045 Indiana Avenue  
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT W-2646

Dear Sirs:

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:** September 24, 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 T. W. Garner Food Company

**SUMMARY OF INFORMATION:**

Zoning map amendment of T. W. Garner Food Company from RS-9 to LI: property is located at the northeast corner of Indiana Avenue and Alspaugh Street and the southwest corner of Pine Tree Road (Zoning Docket W-2646).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL OF TRACT ONE; TRACT TWO WITHDRAWN  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED

CITY ORDINANCE - GENERAL USE

Zoning Petition of T. W. Garner Food Company,  
Docket W-2646

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

Tax Block 2257, Tax Lots 205B and 211B

Section 2. This ordinance shall become effective upon adoption.

## **ZONING STAFF REPORT**

**DOCKET #** W-2646  
**STAFF:** Suzy Gallaway

Petitioner(s): T. W. Garner Food Company  
Ownership: Same

### **REQUEST**

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf  
To: LI Limited 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: 1.4 acres

### **LOCATION:**

Street: Northeast corner of Indiana Avenue and Alspaugh Street.  
Jurisdiction: City of Winston-Salem.  
Ward: North.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Site is vacant.

Adjacent Uses:

North -	Single family homes, zoned RS-9.
Southeast -	Existing T. W. Garner manufacturing facility, zoned LI.
Southwest -	Various industrial and intense commercial uses, zoned LI.
West -	Contractor's office, zoned HB.

### **GENERAL AREA**

Character/Maintenance: Area is a mixture of residential, commercial, institutional and industrial properties.

Development Pace: Slow.

## **HISTORY**

Relevant Zoning Cases:

1. W-1431; R-4 to I-2; approved March 25, 1987; northeast side of Indiana Avenue southeast of Pine Tree Road; 2.5 acres; Planning Board and staff recommended approval.
2. W-1133; R-4 to I-2; approved May 7, 1984; northeast side of Indiana Avenue southeast of Pine Tree Road; 0.71 acre; Planning Board and staff recommended approval.
3. W-813; R-4 to B-3; approved December 15, 1980; northwest side of Alspaugh Street; 0.43 acre; Planning Board recommended approval, staff recommended denial.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: As this request is general use, staff cannot determine impact.

Topography: The subject property is relatively flat.

Vegetation/habitat: A significant amount of vegetation exists in the northern portion of the subject property.

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

## **TRANSPORTATION**

Direct Access to Site: Indiana Avenue; Alspaugh Street; Pine Tree Road

Street Classification: Indiana Avenue – Major Thoroughfare; Alspaugh Street – Local Road; Pine Tree Road – Local Road

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):  
Indiana Avenue between Polo Road and Akron Drive = 18,330/23,900

Sidewalks: Existing on east side of Indiana Avenue southeast of the site.

Transit: Route 10 along Indiana Avenue; Route 7 along Alspaugh.

Bicycle Route: Route 19, Baux Mountain Connector, along Indiana Avenue southeast of the site.

## **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): *Legacy* recommends that economic development be promoted which is compatible with existing residential neighborhoods and other business developments.

Area Plan/Development Guide: This site does not lie within the boundaries of an area plan or development guide.

## **ANALYSIS**

The petitioner originally requested the rezoning of two tracts from RS-9 to LI. However, prior to the Planning Board meeting the petitioner requested that Tract Two be withdrawn from zoning consideration. Tract One is located at the northwest corner of Pine Tree Road and Indiana Avenue, and is 1.4 acres. Tract One is surrounded on three sides by industrial and intense commercial uses and zoning. There are two single-family structures adjacent to Tract One, one owned by a nearby church. Staff believes that these residential properties will be adequately protected from industrial uses by the buffers and setbacks required in the UDO. Tract One has adequate acreage to allow for an industrial use and the necessary setbacks. Although the petitioner has withdrawn Tract Two from this petition, he stated that he may re-submit at a later date for Special Use District (LI-S) zoning.

Staff finds that Tract One is consistent with *Legacy* recommendations that economic development be promoted which is compatible with existing residential neighborhoods and other business developments. The site is also consistent with the development patterns in the area along Indiana Avenue. Staff finds that LI zoning for Tract One is appropriate at this location.

## **FINDINGS**

1. The petitioner originally requested the rezoning of two tracts from RS-9 to LI, but subsequently requested withdrawal of Tract Two prior to the Planning Board hearing.
2. Tract One has adequate acreage to allow for an industrial use and the necessary setbacks and bufferyards.
3. Staff finds that LI zoning for Tract One is appropriate at this location.

## **STAFF RECOMMENDATION**

Zoning: **APPROVAL for Tract One and WITHDRAWAL for Tract Two.**

## **PUBLIC HEARING**

FOR: None

AGAINST: None

## **WORK SESSION**

MOTION: Philip Doyle moved approval of Tract One of the zoning map amendment and withdrawal of Tract Two.

SECOND: Jimmy Norwood

VOTE:

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

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning