



DOCKET #: W2371

PROPOSED ZONING:
LI

EXISTING ZONING:
RS9

PETITIONER:
Anthony T. Kimmer and
Cynthia B. Kimmer

SCALE: 1" represents 200'

STAFF: D. Reed

GMA: 4A

ACRE(S): 0.99

MAP(S): 642846, 648846

February 23, 2000

Anthony T. and Cynthia B. Kimmer
1541 Country Lane
Kernersville, NC 27284

RE: ZONING MAP AMENDMENT W-2371

Dear Mr. & Mrs. Kimmer:

The attached report of the Planning Board to the Board of Aldermen is sent to you at the request of the Aldermen. You will be notified by the City Secretary's Office of the date on which the Aldermen 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
Stephen G. Calaway, 1330 Ashley Square, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: February 23, 2000
TO: The Honorable Mayor and Board of Aldermen
FROM: A. Paul Norby, AICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Anthony T. Kimmer and Cynthia B. Kimmer

SUMMARY OF INFORMATION:

Zoning map amendment of Anthony T. Kimmer and Cynthia B. Kimmer from RS-9 to LI: property is located approximately 157 feet off the west side of Farrington Point Drive (private), approximately 250 feet south of Sprague Street and along the eastern right-of-way of the unopened portion of the I-40/US 311 interchange (Zoning Docket W-2371).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Anthony T. Kimmer and Cynthia B. Kimmer, Docket W-2371

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 Board of Aldermen 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:

Beginning at a stone, southeast corner of the W. O. Masten Development as recorded in Plat Book 9, Page 214 Forsyth County Registry, said stone being the southeast corner of Lot 23, Tax Block 1407, and running thence north 87° 36' 30" west 190.78 feet to a concrete right-of-way monument for New Highway 311; running thence with the eastern line of the New Highway 311, south 12° 04' 30" east 255.0 feet to an iron stake (northwest corner of Lot 412, Block 2597); running thence south 86° 52' 04" east 128 feet to a point; and running thence north 03° east 247.0 feet to the place of beginning. Tax Block 2597 Lot 31E, containing 0.99 acre.

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2371
STAFF: David Reed

Petitioner(s): Anthony T. Kimmer and Cynthia B. Kimmer
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: 0.99 acre

LOCATION

Street: Approximately 157 feet off the west side of Farrington Point Drive (private), approximately 250 feet south of Sprague Street and along the eastern right-of-way of the unopened portion of the I-40/US 311 interchange.

Jurisdiction: City of Winston-Salem.

Ward: Southeast.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is currently vacant.

Adjacent Uses:

North -	Vacant land zoned RS-9.
East -	Industrial uses zoned LI.
South -	Vacant land zoned RS-9 and industrial uses zoned LI.
West -	US 311/I-40 right-of-way.

GENERAL AREA

Character/Maintenance: Typical general use industrial area.

Development Pace: Slow.

PHYSICAL FEATURES

Topography: Site slopes down slightly to the south.

Vegetation/habitat: Site has been cleared for development.

Constraints: A 40-foot building setback and type IV bufferyard will be required along the northern property line.

Impact on Existing Features: Minor.

TRANSPORTATION

Direct Access to Site: Farrington Point Drive (Private).

Street Classification: Farrington Point Drive - not classified; Sprague Street - minor thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Sprague Street west of Cole Road - 4,800/9,500

Planned Road Improvements: The right-of-way adjacent to the site to the west is intended to be used as part of the 311 connector, links US 421/Business 40 to I-40 and US 311. The connector is the City's # 3 priority on the 1999 Transportation Needs list.

Sight Distance: Good.

Transit: WSTA Route 29 runs along Waughtown Street and Cole Road.

Bike: Routes 9 & 12 run along Sprague Street to Lyons Street to Waughtown Street (nearby).

Thoroughfare Overlay: The landscaping and other design standards specified in the Thoroughfare Overlay (TO) District provisions of the UDO would not apply adjacent to the proposed US 311 Connector because that road is not in the Interstate System (to which TO standards apply).

HISTORY

Relevant Zoning Cases:

1. W-1995; LI to GI; approved October 10, 1995; west side of Cragmore Road south of Cragmore Court (approximately 500' southeast of current site); 3.25 acres; Planning Board and staff recommended approval.
2. UDO mapping appeal #198; LI to GI; approved June 27, 1994; east side of Cragmore Road, north of Cragmore Court; staff recommended approval because the business planned for the site would have been made nonconforming.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 4A: Short-Range Growth.

Relevant Comprehensive Plan Recommendation(s): Stage development with the provision of roads, sewers, and other services.

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

ANALYSIS

The subject site lies in a predominantly industrial area which is served by Farrington Point Drive (Private). The site has no access except through the adjoining lot in the same ownership which is zoned LI. Adjacent to the site to the west is the right-of-way for the proposed 311 connector from US 421/Business 40 to I-40 and US 311. The connector is the City's # 3 priority on the 1999 Transportation Needs list. When the connector is developed, there will be no direct access allowed to this site.

The subject property, along with portions of two adjoining tax lots to the south, are oriented towards the industrial development along Farrington Point Drive (Private) and have access through the industrial area. Staff recommends approval of the subject rezoning and would be supportive of a LI rezoning petition for the portions of two adjoining tax lots to the south mentioned above.

FINDINGS

1. The subject site lies in a predominantly industrial area which is served by Farrington Point Drive (Private).
2. The site has no access except through the adjoining lot in the same ownership which is zoned LI.
3. Adjacent to the site to the west is the right-of-way for the proposed 311 connector from US 421/ Business 40 to I-40 and US 311.
4. Staff recommends approval of the subject rezoning and would be supportive of a LI rezoning petition for the portions of two adjoining tax lots to the south which are in the same situation.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

[For information purposes only: The draft Legacy plan recommends placing greater emphasis on the redevelopment and expansion of existing industrial sites and the promotion of new business opportunities in underdeveloped areas of the community.]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Steve Johnson moved approval of the zoning map amendment and certifies that the site plan meets all code requirements. Staff conditions should apply.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Bost, Johnson, Powell, Schroeder, Stewart, Williams

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning