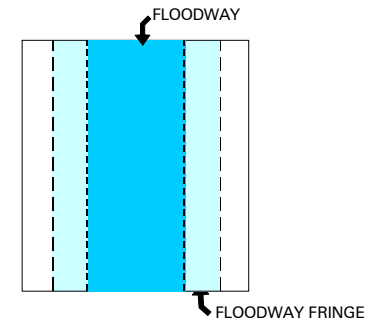


DOCKET #: W2372

PROPOSED ZONING:
GI

EXISTING ZONING:
LI

PETITIONER:
Ramey Development Corporation



SCALE: 1" represents 400'

STAFF: L. Weston

GMA: 3

ACRE(S): 50.7

MAP(S): 630830

February 23, 2000

Ramey Development Corporation
P. O. Box 10
Bethania, NC 27010-0010

RE: ZONING MAP AMENDMENT W-2372

Dear Sirs:

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 Ramey Development Corporation

SUMMARY OF INFORMATION:

Zoning map amendment of Ramey Development Corporation from LI to GI: property is located on the northwest side of Overdale Road and on the south side of Hodges Avenue (unopened) between Overdale Road and US 52 (Zoning Docket W-2372).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: AVANT, BOST, STEWART, WILLIAMS
AGAINST: POWELL, SCHROEDER
SITE PLAN ACTION: NOT REQUIRED

CITY ORDINANCE - GENERAL USE

Zoning Petition of Ramey Development Corporation, Docket W-2372

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 LI to GI the zoning classification of the following described property:

All that parcel of land lying in Broadway Township, County of Forsyth and State of North Carolina as shown on a survey dated March 8, 1976, by John G. Bane, Registered Engineer, described as follows: Beginning at a concrete highway right-of-way marker lying in the east right-of-way of US Highway 52, the northwest corner of the property of Edward A. Reed (Deed Book 91, Page 105 - known as Lot 37C, Tax Block 2707) and running thence with the east right-of-way line of US Highway 52 the two (2) following courses and distances: (1) north 15° 59' 13" west 621.94 feet to an iron stake; and (2) north 22° 33' 39" west 650.20 feet to a concrete highway right-of-way marker; running thence south 85° 05' 30" east 297.0 feet to an iron stake; running thence north 05° 34' 30" east 33.0 feet to an iron stake; running thence south 86° 45' 33" east 460.23 feet to an iron stake; running thence south 85° 25' 32" east 211.68 feet to an iron stake; running thence south 86° 09' 23" east 1,351.65 feet to an iron stake; running thence south 03° 00' 03" west 195.99 feet to an iron stake located in the north right-of-way line of Winston-Salem southbound railway; running thence with the north right-of-way line of Winston-Salem southbound railway the three (3) following courses and distances: south 33° 20' 33" west 75.34 feet to an iron stake; (2) south 36° 55' 49" west 97.83 feet to an iron stake; and (3) south 38° 18' 01" west 191.06 feet to an iron stake located in the north right-of-way line of Overdale Road; running thence with the north right-of-way line of Overdale Road as the same meanders in a southwesterly direction 1,320 feet, more or less, to a point, the northeast corner of Lot 47, Tax Block 2707; running thence north 86° 40' 07" west 317.29 feet to an iron stake, Edward A. Reed's northeast corner (Deed Book 91, Page 105); running thence north 87° 52' 13" west 210.58 feet to the place of beginning - containing 50.7 acres, more or less, and being known as part of Lot 7F, Tax Block 2711.

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2372
STAFF: Larry F. Weston

Petitioner(s): Ramey Development Corporation
Ownership: Same

REQUEST

From: LI Limited Industrial District
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: 50.7 acres

LOCATION

Street: South side of Hodges Avenue between Overdale Road and US 52.
Jurisdiction: City of Winston-Salem.
Ward: Southeast.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: The site is vacant.
Adjacent Uses:

- North - Single family homes zoned RS-9.
- East - Corn Products International, zoned GI.
- South - Vacant land zoned RS-9 and Corn Products International, zoned GI.
- West - US 52 Expressway.

GENERAL AREA

Character/Maintenance: Industrial site lies east of the site, while small moderately to well maintained homes exist north of the site.
Development Pace: Slow.

TRANSPORTATION

Direct Access to Site: Overdale Road; US 52 lies just west of the site.

Street Classification: Overdale Road is unclassified; US 52 - freeway.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Overdale Road south of Old Milwaukee Lane - 1,200/11,100.

HISTORY

Relevant Zoning Cases:

1. W-2116; RS-9 to GB-S (Multiple Business Uses); approved January 6, 1997; east side of Main Street, across from Davie Avenue; 1.06 acres; Planning Board and staff recommended approval.
2. W-933; R-4 to B-3-S (Motor Vehicle Repair); approved December 20, 1982; east side of South Main Street, north of Davidson Avenue; 0.84 acre; Planning Board recommended approval, staff recommended denial.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 3: Urban.

Relevant Comprehensive Plan Recommendation(s): Separation and buffering of commercial, office, and industrial uses from residential areas; and preservation of stable neighborhood areas.

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

ANALYSIS

The subject site is a very large site that lies near both industrial and residential uses. Corn Products International, zoned GI, occupies a large tract just across Overdale drive and the tracks of the Southern Railroad. North of the site, however, is a small stable residential community zoned RS-9 whose streets dead end into the subject site.

There is currently a significant growth of vegetation that separates the proposed GI tract from these homes, but approval of a general use industrial district at this location causes staff to be concerned for the adjoining homes. The new zoning lot would adjoin the RS-9 district, providing no assurance that the screening of these residences will continue.

Staff recognizes the decidedly industrial character of the land east of the subject site, as well as the existing Limited Industrial (LI) zoning of the site itself. Staff believes that rezoning of the site to a higher intensity district may be a logical step B under the right circumstances. If the residential areas directly north of the proposed zoning lot can be adequately screened and

protected from the wide range of potential GI uses, staff could support the rezoning request. Without that assurance, staff is not able to do so. The risks of inadequate protection are great, and the action to rezone without protection could be irreversible.

Staff recommends that the petitioner reconsider the scope of the request and limit the extent of the proposed zoning lot to within 200 feet of the northern LI border near MacArthur and Eisenhower Roads and 100' from that point east to Southern Railroad. This could be accomplished with a two tract general use rezoning petition that would convert current LI land to a RS-9 border as a screen for the homes along MacArthur and Eisenhower Roads and the remaining RS-9 zoned land extending to Overdale Road.

In the absence of such protections, staff cannot support the general use petition as submitted. The rezoning is inconsistent with the separation and buffering objectives of *Vision 2005*.

FINDINGS

1. The petition is not consistent with *Vision 2005*.
2. The petition is a general use request that seeks to rezone approximately 51 acres from Limited Industrial (LI) to General Industrial (GI).
3. The petition, if approved, would not provide adequate screening and protection of the residential neighborhood north of the site.
4. Staff would be supportive of a general use rezoning to GI with adequate buffering.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

Larry Weston presented the staff report.

PUBLIC HEARING

FOR:

Steve Calaway, 1330 Ashley Square, Winston-Salem, NC 27103

Attorney for Ramey Development Co.

Mr. Calaway asked those in opposition to this case to raise their hands. No one indicated their opposition.

The petitioner talked to the neighbors north of this site and they know what he is planning to do. They obviously don't have any problem with it.

There are manufactured homes, a cell tower site, and a car repair facility near this site.

There are two business sites in this immediate area with railroad access.

This is a logical place for GI. I ask you to approve it.

Mr. Armentrout and Mr. Duggins are here if you have questions for them.

AGAINST: None

WORK SESSION

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

1. Special use could specify a buffer since it can't be required on a general use petition.
2. The petitioner stated that a site plan for a site this size would probably cost \$20,000. It's for a site plan showing basically nothing - just a buffer. The Planning Board disagreed with that estimate.
3. Jim Armentrout, 3822 Rhineway, Winston-Salem, NC 27106: We have no objection to a buffer. There is a nice buffer there now. When someone wants a 200' "no-touch" buffer, that is a problem. I expect if we had a company come in and use the LI zoned land, we'd only be required to have 15-30 feet. This is a tremendous amount. We would really like to rezone it GI.
4. John Bost noted that GI is probably the only use that would be appropriate for this site.

MOTION: John Bost moved approval of the zoning map amendment.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Bost, Stewart, Williams

AGAINST: Powell, Schroeder

EXCUSED: None

A. Paul Norby, AICP
Director of Planning