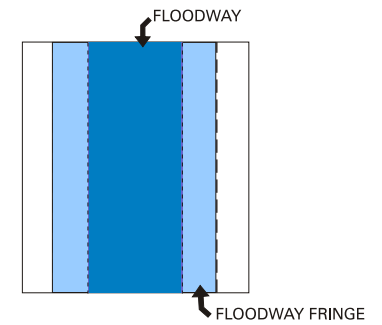


DOCKET #: W2383

PROPOSED ZONING:
PB-S (Museum or Art Gallery)

EXISTING ZONING:
HB and LI

PETITIONER:
Old Salem, Inc.



SCALE: 1" represents 200'

STAFF: G. Simmons

GMA: 2

ACRE(S): 4.71

MAP(S): 630850

April 19, 2000

Old Salem, Inc.
c/o Hobart Cawood
P. O. Box F
Winston-Salem, NC 27108

RE: ZONING MAP AMENDMENT W-2383

Dear Mr. Cawood:

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
John Larson, Old Salem, Box F, Salem Station, Winston-Salem, NC 27101

ACTION REQUEST FORM

DATE: April 19, 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 Old Salem, Inc.

SUMMARY OF INFORMATION:

Zoning map amendment of Old Salem, Inc. from HB and LI to PB-S (Museum or Art Gallery): property is located on the east side of Marshall Street and west side of Old Salem Road at Walnut Street (Zoning Docket W-2383).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS

CITY ORDINANCE - SPECIAL USE

Zoning Map Amendment of Old Salem, Inc., Docket
W-2383

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 HB and LI to PB-S (Museum or Art Gallery) the zoning classification of the following described property:

A certain parcel of land lying in Winston Township, Forsyth County, North Carolina and being more particularly described as follows:

BEGINNING at an iron pin at the northeast intersection of Walnut Street and Marshall Street, said iron pin being the southwest corner of Tax Lot 1A, Tax Block 575; thence, along the eastern right-of-way of Marshall Street north 16E 33' 08" west 588.50 feet to a concrete monument at the southwest corner of Tax Lot 107, Tax Block 570; thence, north 73E 32' 39" east 198.61 feet to a concrete monument; thence, continuing north 73E 32' 39" east 66.39 feet to a point at the southeast corner of Tax Lot 107, Tax Block 570; thence, south 16E 27' 16" east 134.47 feet to a point at the southwest corner of Tax Lot 229, Tax Block 570; thence south 16E 09' 09" east 41.08 feet to a point at the southwest corner of Tax Lot 11, Tax Block 575; thence south 16E 40' 48" east 128.52 feet to an iron pin at the southeast corner of Tax Lot 101A, Tax Block 575; thence north 71E 23' 12" east 7.00 feet to an iron pin at the northeast corner of Tax Lot 103A, Tax Block 575; thence south 23E 20' 04" east 211.94 feet to an iron pin in the northern right-of-way of Marshall Street, at the southeast corner of Tax Lot 103A, Tax Block 575; thence, along the northern right-of-way of Walnut Street, south 57E 42' 43" west 75.49 feet to a concrete monument; thence, continuing along Walnut Street south 60E 07' 25" west 40.04 feet to a nail; thence, continuing along Walnut Street south 61E 48' 12" west 52.51 feet to a point; thence, continuing along Walnut Street south 59E 23' 45" west 137.86 feet to the point and place of beginning.

AND a certain parcel of land lying in Winston Township, Forsyth County, North Carolina and being more particularly described as follows:

BEGINNING at an existing iron pin at the southeast intersection of Walnut Street and Marshall Street, said iron pin being the northwest corner of Tax Lot 111, Tax Block 578; thence, along the southern right-of-way of Walnut Street north 59E 59' 05" east 113.84 feet to an iron pin at the northeast corner of Tax Lot 111, Tax Block 578; thence, continuing along the southern right-of-way of Walnut Street north 60E 14' 08" east 50.02 feet to an iron pin at the northwest corner of Tax Lot 110, Tax Block 578; thence, continuing along the southern right-of-way of Walnut Street north 60E 04' 21" east 165.16 feet to a point at the northeast corner of Tax Lot 110, Tax Block 578; thence, south 26E 53' 29" east 278.67 feet to a point at the southeast corner of Tax Lot 113A, Tax Block 578; thence south 63E 00' 29" west 164.45 feet to an iron pin in the eastern line of Tax Lot 203, Tax Block 578; thence north 26E 58' 44" west 132.29 feet to an iron pin at the northeast corner of Tax Lot 201, Tax Block 578; thence south 62E 58' 30" west 50.00 feet to an iron pin at the southwest corner of Tax Lot 112, Tax Block 578; thence south 63E 03' 50" west 113.91 feet to an iron pin in the eastern right-of-way of Marshall Street; thence, along the eastern right-of-way of Marshall Street north 26E 53' 05" west 129.42 feet to the point and place of beginning.

Section 2. This Ordinance is adopted after approval of the site plan entitled NC Heritage Education Center and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to Old Salem, Inc.

Section 3. The Board of Aldermen hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as NC Heritage Education Center. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the Board of Aldermen

of the City of Winston-Salem

The Board of Aldermen of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning map amendment of Old Salem, Inc., (Zoning Docket W-2383). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for PB-S (Museum or Art Gallery), approved by the Winston-Salem Board of Aldermen the _____ day of _____, 19____" and signed, provided the property is developed in accordance with requirements of the PB-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

C PRIOR TO THE ISSUANCE OF GRADING PERMITS

- a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS

- a. All required storm water management devices shall be installed.
- b. If required, developer shall modify internal vehicular circulation connections to meet City of Winston-Salem Department of Transportation and UDO requirements.

C OTHER REQUIREMENTS

- a. One (1) freestanding monument sign with a maximum height of eight (8) feet shall be permitted at the main entrance off Old Salem By-pass, and two (2) monument signs with a maximum height of five (5) feet shall be allowed at the two entrances off Marshall Street.

ZONING STAFF REPORT

DOCKET # W-2383
STAFF: Glenn Simmons

Petitioner(s): Old Salem, Inc.
Ownership: Same

REQUEST

From: HB Highway Business District and LI Limited Industrial District
To: PB-S Pedestrian Business District (Museum or Art Gallery)

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

Acreage: 4.71 acres

LOCATION

Street: East side of Marshall Street and west side of Old Salem Road at Walnut Street.
Jurisdiction: City of Winston-Salem.
Ward: South.

SITE PLAN

Proposed Use: Museum or Art Gallery.
Square Footage: 36,500 sf total for three buildings.
Building Height: Single story.
Parking: Required: one space per 300 sf, 122 spaces; Proposed: 136 spaces and 26 bus parking spaces.
Bufferyard Requirements: None required.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Bakery, antique store, other single story shops and stores.

Adjacent Uses:

- North - Offices zoned GB. Just north of the offices are multifamily buildings, zoned RM-12.
- East - Strollway. The Old Salem Historic District is located on the east side of Old Salem By-pass.
- South - Factory buildings zoned HB. Hewitt Business Center, also zoned HB, is further south.
- Southwest - Restaurant zoned HB.

- West - Coca-Cola factory zoned LI on the west side of Marshall Street opposite the current request. A piece of property on the western side of this site (east side of Marshall Street) is not being considered for rezoning at this time. It houses a chemical company and is also zoned LI.
- Northwest - Duplexes zoned RM-12.

GENERAL AREA

Character/Maintenance: The area consists of a mixture of older industrial and commercial buildings. Opposite Old Salem bypass is the Old Salem Historic District. The site is generally located within an area designated as the South East Gateway which includes City owned property proposed for village-scale commercial redevelopment just south of the proposed zoning request.

Development Pace: Slow to moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site will be cleared of all existing structures and parking except one existing 10,000 sf older brick structure which is to be retained as a student center.

Topography: Property slopes generally downward toward Tar Branch along the eastern edge of the property north of Walnut Street (recently closed).

Streams: Tanner's Run has been restored along the eastern boundary of this site above Walnut Street. Special precautions should be taken to protect the stream when construction takes place on the site requesting rezoning. The stream has been piped at Walnut Street and consideration should be given to continuing the restoration of the stream south of Walnut Street as part of any future construction on this zoning site.

Constraints: Steep slopes located on the western edge of Tar Branch limit the extent of development along the eastern edge of the property.

Floodplains: Yes. Adjacent to the lower portion of this site.

Will development of the site affect environmental resources beyond the site? Yes.

If yes, how? Construction at the site could impact the recently restored Tanner's Run.

TRANSPORTATION

Direct Access to Site: Old Salem Road and Marshall Street.

Street Classification: Old Salem Road - major thoroughfare; Marshall Street - minor thoroughfare.

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

Old Salem Road north of Salem Avenue - 8,000/21,000

Old Salem Road north of Academy Street - 8,000/26,000

Marshall Street south of Academy Street - 4,500/16,000

Trip Generation/Existing Zoning: HB/LI

Trip Generation/Proposed Zoning: PB-S Museum or Art Gallery (Not classified but may be substantial based on seasonal tourists activity to Old Salem.

Planned Road Improvements: TIP # 2926 - Waughtown /South Main Street realignment will include a traffic circle at Old Salem Road, Salem Avenue and South Main Street. No negative impacts expected.

Sight Distance: Adequate.

Bike: Route 5 along Academy Street - Strollway along Old Salem Avenue frontage.

Transit: Rt. 29 along Old Salem Road

HISTORY

Relevant Zoning Cases:

1. W-2331; HB to PB; approved August 16, 1999; 2.37 acres; west and east sides of Poplar Street between Salem Avenue and Walnut Street; Planning Board and staff recommended approval.
2. W-2262; LI to GB; approved October 5, 1998; 1.16 acres; located north of the current site on the east side of Marshall Street north of Walnut Street; Planning Board and staff recommended approval.
3. W-2192; GI to GB; approved December 15, 1997; located north of the current site at the southwest corner of Marshall Street and Wachovia Street (old Indera Mills buildings); Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): This site is in the Central Area (area 2) of the Growth Management Plan and adjacent to the Old Salem Historic District.

Relevant Comprehensive Plan Recommendation(s): The objectives for the Central Area include preservation of historic structures and the return of neighborhood shopping services. The goals for historic preservation in the *Vision 2005* plan include preservation of local heritage, culture, and architecture.

Area Plan/Development Guide: *Southeast Gateway Plan*

Relevant Development Guide Recommendation(s): New developments should be oriented so that building fronts are facing key roads and streetscape improvements, including utilities underground, lighting, landscaping, sidewalks, seating and crosswalks. The plan is that a focal point of open spaces, convenience, service and retail shops be created between Old Salem and NCSA to serve as a meeting point for visitors to Old Salem, students and visitors to NCSA, Salem Academy and College, WSSU, and surrounding neighborhoods. Features of this Focal Point include: Old Salem Visitors Center, Winston-Salem Visitors Center, retail shops and services, parking for retail and Old Salem, among other uses. The location of this focal point is identified in the plan as Salem Avenue and the Main Street.

COMMUNITY DEVELOPMENT

Certified Area/Name: South Marshall.

Type of Certification: The area was certified for Redevelopment & Rehabilitation. This site was in the rehabilitation part of the area.

GREENWAY/RECREATION/OPEN SPACE REVIEW

Greenway/Trail Name: Strollway

Comments/Status of Trail: The strollway which runs parallel to Old Salem Road is already developed and no additional easements are required.

HISTORIC RESOURCES REVIEW

Known historic resources? Property is positioned directly adjacent to the western edge of the Old Salem Historic District boundaries (the western edge of the district runs along the western edge of the strollway in this location).

Forsyth County Architectural Inventory Number/Name: No recorded archaeological resources from the inventory, though at least one known archaeological resource within the property.

Known Forsyth County Archaeological Site/Number: None.

National Register of Historic Places? (See comments).

Local Historic Landmark? (See comments).

In Historic District? (See comments).

Comments: The property is located directly adjacent to an area that is a National Register Historic District, a National Historic Landmark District, a locally zoned H District, and that contains 51 Local Historic Landmarks. Historic Resources staff has concerns about the impact of the development on this nationally significant area. Specifically, staff is concerned about the view corridor from the district as it looks out over the proposed site of the development. The site plan shows limited use of landscaping within parking areas and no use of landscaping in conjunction with the stacked rail fencing shown as a buffer to the parking areas and retaining walls adjacent to the strollway. Equally, it appears from the design that the built features of the development will be raised, through combination of built-up and natural grade, so as to further impact the visual character of the historic district. Staff is unclear as to the level of support the project will receive from other property owners in the district, particularly resident property owners.

ANALYSIS

This is a request by Old Salem, Inc. to redevelop 4.7 acres of urbanized land as a visitor's center for Old Salem. The property is located on the west side of Old Salem Bypass opposite the Old Salem Historic District. Currently, the property consists of an assortment of older industrial and commercial structures in various states of diminished maintenance and appearance. One of the

more substantive structures, a older 10,000 square foot brick building is proposed to be retained as a student center as part of the overall development concept for the N.C. Heritage Education Center. Walnut Street, which formerly bisected the property, has been officially closed as a public street and is now proposed to be the new primary entrance to the project from Old Salem Bypass.

A recently completed pedestrian bridge which crosses over Old Salem Bypass was designed and built in anticipation of the proposed new visitor center. The new center is intended to take the place of the existing visitor center which is currently located on the east side of Old Salem Bypass. The proposed relocation will provide expanded opportunities for historic restoration of the former site.

The property assembled for the visitors center consists entirely of general use HB and LI zoned land. Given that the site may potentially redevelop, or languish, with a variety of uses which may be uncomplementary to the image of Old Salem, staff is generally supportive of the proposed PB-S zoning classification and associated site plan. There are, however, a couple of site plan considerations which staff wishes to address.

In order for the visitor center to properly function with respect to parking circulation and bus loading areas, the center must ideally incorporate a separate parcel of LI zoned land which currently is not part of the petition. While staff understands that the petitioner fully expects to integrate this parcel into the project at a later date, the property is currently tied up in an estate settlement. As an interim solution the petitioner proposes an alternative parking lot layout, which meets minimum UDO and functional requirements if needed. According to site plan conditions, any needed reconfiguration of internal driveway connections must be approved by the WSDOT.

With regard to vehicular screening, staff has expressed to the petitioner that the parking areas should be suitably screened from view from the Old Salem historic district. As an alternative to screening with conventional hedge-like landscape materials, the petitioner proposes to use a high split rail fence in conjunction with natural riverine plant materials which have been previously installed along the restored stream bank which borders the eastern edge of the parking lot. Staff agrees that native plant materials in combination with the fence will provide an adequate and historically appropriate screen.

Although the new facility will be a high traffic generator, particularly during seasonal events, staff believes that the project is well thought functionally and should be a welcome addition to the area. The project should also complement other redevelopment efforts associated with the *Southeast Gateway Plan*.

FINDINGS

1. The request proposes to redevelop an underdeveloped area of existing general use HB and LI zoned property.

2. The development concept utilizes one of the more substantive structures, an existing 10,000 square foot brick building, as a student center.
3. The project is designed to functionally accommodate the expected high volumes of pedestrian and vehicular traffic
4. The project will utilize historically suitable landscape fencing and native plant materials to adequately screen the property from Old Salem and the Strollway.
5. An alternative design for internal circulation must be approved by the WSDOT if the interior outparcel is not acquired prior to the opening of the proposed visitor center.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions:

C PRIOR TO THE ISSUANCE OF GRADING PERMITS

- a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

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[For information purposes only: The draft Legacy plans locates this site in the Urban Neighborhoods planning area of the Growth Management Plan. A goal of the Legacy Plan is to provide for the "...identification, protection, and promotion of historic resources as an integral component of quality growth in Forsyth County." Tourism is an important part of our economy and especially important to downtown Winston-Salem revitalization. One of the policies in the Economic Vitality chapter is to "Support tourism, the convention center, local historic, recreational and arts-related attraction in Winston-Salem and Forsyth County.]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: James Rousseau moved approval of the rezoning petition.

SECOND: Kem Schroeder

VOTE:

FOR: Avant, Bost, Johnson, King, Powell, Rousseau, Schroeder, Williams

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: James Rousseau certified that the site plan meets all code requirements, and staff recommendations should apply.

SECOND: Kem Schroeder

VOTE:

FOR: Avant, Bost, Johnson, King, Powell, Rousseau, Schroeder, Williams

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning