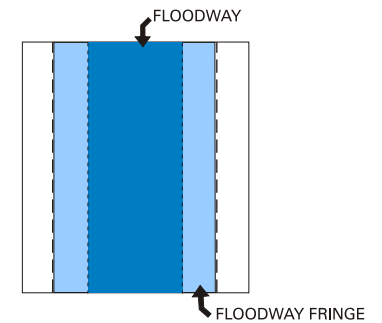


DOCKET #: W2386

PROPOSED ZONING:
LI

EXISTING ZONING:
HB

PETITIONER:
Dewey Guy Wilkerson, III,
for property owned by Hugh
F. Oates, Jr., and Kate Oates



SCALE: 1" represents 200'

STAFF:

GMA: 3

ACRE(S): 2.07

MAP(S): 600846

April 19, 2000

Dewey Guy Wilkerson, III
3121 Indiana Avenue
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT W-2386

Dear Mr. Wilkerson:

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
D. Barrett Burge, 2000 W. 1st Street, Suite 500, Winston-Salem, NC 27104
Ed Timmermann, 4781 Commercial Plaza, Winston-Salem, NC 27104
Norman L. Nifong, 207 North Poplar Street, 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 Dewey Guy Wilkerson, III for property owned by Hugh F. Oates, Jr. and Kate Oates

SUMMARY OF INFORMATION:

Zoning map amendment of Dewey Guy Wilkerson, III for property owned by Hugh F. Oates, Jr. and Kate Oates from HB to LI: property is located on the north side of Commercial Plaza Street and south side of Benton Road, west of Jonestown Road (Zoning Docket W-2386).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Map Amendment of Dewey Guy Wilkerson, III for property owned by Hugh F. Oates, Jr. and Kate Oates, Docket W-2386

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 to LI the zoning classification of the following described property:

BEGINNING at the northwest corner of Lot 4 as shown on the map of Commercial Plaza as said map is recorded in Plat Book 21, at Page 90, in the office of the Register of Deeds of Forsyth County, North Carolina, and running thence north 86E 37' east 12.5 feet to a point in the north line of said Lot 4; running thence south 06E 33' west 382.3 feet to the south line of said Lot 4; running thence with the south line of said Lot 4 north 86E 32' west 12.5 feet to a point at the southeast corner of Lot 5; thence along the northern right-of-way line of Commercial Plaza Street and along the south lines of Lots 5, 6, and 7 the following two (2) courses and distances, namely: north 82E 49' west 32.3 feet and north 83E 23' west 212.7 feet; thence a new line north 06E 33' east 194.84 feet; thence another new line north 40E 59' east 63.0 feet to a point in the east line of said Lot 7; thence with the east line of Lot 7 north 06E 50' east 112.03 feet the southern right-of-way line of Benton Road; thence along the northern lines of Lots 6, 5, and 7 the following two (2) courses and distances, namely: north 89E 23' east 210.00 feet and north 86E 37' east 12.5 feet to the point and place of BEGINNING.

Containing 2.1 acres and also known as Tax Lots 4B, 5P, 6P and 7Q, Tax Block 3905.

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2386
STAFF: David Reed

Petitioner(s): Dewey Guy Wilkerson, III
Ownership: Hugh F. and Kate Oates, Jr.

REQUEST

From: HB Highway Business District
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: 2.07 acres

LOCATION

Street: North side of Commercial Plaza Street and south side of Benton Road, west of Jonestown Road.

Jurisdiction: City of Winston-Salem.

Ward: West.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Indera Mills Company Distribution Center.

Adjacent Uses:

- North - Commercial warehouse.
- East - Small office buildings and small retail uses all zoned HB.
- South - US 421.
- West - Jonestown Warehouse and Jonestown Self Storage, both zoned HB.
Further west is Plaza West Apartment Complex zoned RM-18.

GENERAL AREA

Character/Maintenance: Well maintained commercial building.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site is fully developed.

Topography: Site is level.

TRANSPORTATION

Direct Access to Site: Commercial Plaza Street and Benton Road.

Street Classification: Commercial Plaza Street - unclassified; Benton Road - unclassified;

Jonestown Road - minor thoroughfare; and US 421 - Freeway.

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

Jonestown Road north of US 421 - 20,000/26,000

US 421 west of Jonestown Road - 50,000/54,000

Sight Distance: Fair.

Transit: Transit is not available at this time.

HISTORY

Relevant Zoning Cases:

1. W-2095; RS-9 to HB-S (Warehousing); approved October 7, 1996; off the north side and at the western terminus of Benton Road (adjacent to W-2094); 1.43 acres; Planning Board and staff recommended approval.
2. W-2094; RS-9 to RS-9-S (Buffer, Landscaping, and Storm water Pond); approved October 7, 1996; off the north side and at the western terminus of Benton Road (adjacent to W-2095); 2.45 acres; Planning Board and staff recommended approval.
3. W-1788; B-3 to I-2; denied October 5, 1992; north side of Commercial Plaza Street and south side of Benton Road, west of Jonestown Road (current site); 2.07 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): See specific area plan recommendations.

Area Plan/Development Guide: *Country Club/Jonestown Area Plan*.

Relevant Development Guide Recommendation(s): The *Country Club/Jonestown Area Plan* recommends the area fronting US 421, including this site, for commercial development.

ANALYSIS

The current site was the subject of another rezoning request in 1992 (zoning docket W-1788). At that time, which was prior to the UDO remapping, the site was zoned B-3 and the zoning map amendment request was for I-2. The Planning Board and staff recommended approval of the petition but it was denied by the Board of Aldermen.

The existing building on the site is currently vacant . The petitioners are requesting LI zoning to attract a tenant or buyer who can make use of the property. The building itself is approximately one acre in size and would be suitable for many of the uses allowed in the LI zoning district. The GB (General Business) zoning district may also be appropriate for the site as it allows many business uses as well as the Manufacturing A use. The proposed LI district allows both Manufacturing A and B.

The surrounding uses in the immediate area are warehouse type commercial uses to the east, west, and north. Further west is the Plaza West Apartments. The warehouse zoning to the north of the site has been expanded since the previous zoning case was heard. Across Commercial Plaza Street to the south is US 421.

Vision 2005 recommends the buffering of commercial and industrial uses from residential areas. Other commercial uses exist between the subject site and the Plaza West Apartments. The *Country Club/Jonestown Area Plan* recommends commercial uses for the area. The nature of the building and the surrounding uses, however, are compatible with LI zoning.

FINDINGS

1. The current site was the subject of a rezoning request from B-3 to I-2 in 1992 (zoning docket W-1788). That case was denied by the Board of Aldermen.
2. The existing building is approximately one acre in size and would be suitable for many of the uses allowed in the LI zoning district.
3. The GB (General Business) zoning district may also be appropriate for the site as it allows many business uses as well as the Manufacturing A use.
4. The surrounding uses in the immediate area are warehouse type commercial uses to the east, west, and north.
5. The petition is consistent with *Vision 2005*.
6. The *Country Club/Jonestown Area Plan* recommends commercial uses for the area. The nature of the building and the surrounding uses, however, are compatible with LI zoning.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

[*For information purposes only:* The draft *Legacy* plan indicates the site is located in the municipal services area of Legacy's growth management area.]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Kem Schroeder moved approval of the rezoning petition.

SECOND: James Rousseau

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning