



DOCKET #: W2425

PROPOSED ZONING:
HB

EXISTING ZONING:
LI

PETITIONER:
G G & E LLC

SCALE: 1" represents 200'

STAFF: Hughes

GMA: 3

ACRE(S): 5.2

MAP(S): 654858

September 20, 2000

G. G. & E. LLC
3475 Myer Lee Drive
Winston-Salem, N.C. 27101

RE: ZONING MAP AMENDMENT W-2425

Dear

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
Eric Ritchie, 11D Stadleridge Drive, Greensboro, N.C. 27410
George deBidart, 101 Croyden Drive, Kernersville, N.C. 27284
Gerald Bouchard, 8165 Whitmore Cove Lane, Clemmons, NC 27012

ACTION REQUEST FORM

DATE: September 20, 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 G. G. & E. LLC

SUMMARY OF INFORMATION:

Zoning map amendment of G. G. & E. LLC from LI to HB: property is located on the northwest side of Meyer Lee Drive southwest of Old Greensboro Road; property is somewhat rectangular in shape fronting ±260 feet on the northwest side of Myer Lee Drive; property extends northwest off Myer Lee Drive for a maximum depth of ±321 feet; property consists of ±2.23 acres and is Tax Lot 109, Tax Block 3263 as shown on the Forsyth County Tax Maps (Zoning Docket W-2425).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of G. G. & E., LLC, Docket W-2425

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 HB the zoning classification of the following described property:

BEGINNING at an iron located in the northern margin of the 60 foot right-of-way of Myer-Lee Road, a corner with lands now or formerly owned by Doris C Enochs; running thence from said point of BEGINNING with the northern margin of the 60 foot right-of-way of Myer Lee Road, south 46° 53' 28" West 268.09 feet to a point located in the northern margin of the 60 foot right-of-way of Myer-Lee Road, at the southeasternmost corner of the aforesaid Lot 8D; running thence with the eastern boundary line of the aforesaid Lot 8D, North 42° 23' 48" West 320.09 feet to an iron located in the southern margin of the 100 foot right-of-way of Southern Railway, at the northeasternmost corner of the aforesaid Lot 8D; running thence with the southern margin of the 100 foot right-of-way of Southern Railway, North 63° 33' 17" East 468.36' feet to an iron located in the southern margin of the 100 foot right-of-way of Southern Railway, a corner with lands now or formerly owned by Doris C. Enochs; running thence with the line of lands now or formerly owned by Doris C. Enochs, South 01° 42' 32" West 261.81 feet to the point and place of BEGINNING and containing 2.226 acres, more or less, and BEING ALL OF LOT 8-C as shown in Forsyth County Tax Block 3256. (Lot 109 as shown on Tax Map.)

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2425
STAFF: Suzanne Hughes

Petitioner(s): G. G. & E. LLC
Ownership: G. G. & E. LLC

REQUEST

From: LI Limited Industrial District
To: HB Highway Business 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: 2.23 acres

LOCATION

Street: Northwest side of Myer Lee Drive southwest of Old Greensboro Road.
Jurisdiction: City of Winston-Salem.
Ward: East.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Single building.

Adjacent Uses:

- North - Southern Railroad lines and LI zoned land fronting Old Greensboro Road.
- East - Transmission lines run north-south immediately to the east of this site. Further east are an occupied office building and WXLV 45 news station, both zoned LI.
- South - Across Myer Lee Drive is a parking lot for Pepsi trucks zoned LI.
- West - Carpet distribution facility zoned HB.

GENERAL AREA

Character/Maintenance: Business Uses.
Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site is developed.
Topography: Site slopes slightly to the northeast.
Vegetation/habitat: Site is developed.
Constraints: Minor.

Is the project in a water supply watershed? Yes

Which one? Salem Lake

Compliance with Watershed Protection Regulations: The property lies within the Reservoir Protection Area of the Salem Lake Watershed (all lands within one mile of the normal pool elevation of Salem Lake). The UDO identifies prohibited uses and development option, including impervious surface coverage limits for a low density option (no stormwater management facilities; 12% increase for existing built sites) and stormwater quality management (stormwater management facilities; 24% increase for existing built sites).

TRANSPORTATION

Direct Access to Site: Myer Lee Drive, Old Greensboro Road, I-40

Street Classification: Myer Lee Drive - collector; Old Greensboro Road - minor;
I-40 - freeway

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

Old Greensboro Road between Reidsville Road and Business 40 - 6,600/11,000

Business 40 between Reidsville Road and Lowery St - 62,000/81,000

Transit: Route 25 along Old Greensboro Road

Bike Route 15 along Old Greensboro Road

HISTORY

Relevant Zoning Cases:

1. W-736; R-2 and R-6 to I-2-S (Motor Vehicles, Agricultural Implements, or Heavy Machinery, Sale, Repair, Rental or Storage); approved August 15, 1979; south side of Interstate 40 service road and west of Linville Road; 8.2 acres; Planning Board and staff recommended approval.
2. W-707; R-5 and R-6 to I-2; approved February 8, 1979; south side of Old Greensboro Road, north of Southern Railroad; 15 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): Development of activity nodes at planned locations; separation and buffering of commercial uses from residential uses.

Area Plan/Development Guide: *Salem Lake Watershed Area Plan*

Relevant Development Guide Recommendation(s): The site lies within Water Quality Sensitive Area (WQSA) 2 in the plan; WQSA 2 lands drain directly into the lake, lie within 1000'

of Salem Lake, or are otherwise sensitive for water quality purposes due to topography or location. Limitations on usage are recommended (primarily new uses on vacant parcels). The plan also notes that vacant land zoned I-2 under the old zoning ordinance at the time of the area plan preparation (1985-86) should be developed with industrial controls, careful site design, and “dry” industries. Finally the plan recognizes the approximately 30 acres zoned (and mostly improved) for business around the Linville Road/Business 40 interchange as being appropriate for future business development.

ANALYSIS

G. G. & E. LLC has requested this rezoning of 2.23 acres currently zoned LI (Light Industrial) to be rezoned HB (Highway Business). The petitioner would like to have the commercial flexibility offered by HB zoning.

Surrounding the subject site are both LI and HB uses and zoning classifications. The area was originally zoned I-2. When reclassification of zoning districts took place in the UDO conversion, most I-2 zoned lands were reclassified as LI. Some properties with business uses at the time of conversion not allowed in LI were converted to business zones. Although at one time there had been uses on this property that would have qualified as HB, at the time of reclassification this was not the case and the property was reclassified as LI.

By way of information, in the UDO conversion process there were opportunities for property owners to request different reclassifications than were assigned, but no such requests were made for the subject site. Such time for appeal of the reclassification has passed, as has any grandfathering of nonconforming uses.

Rezoning of the subject site to HB would not be inconsistent with surrounding zoning and uses. Staff recommends approval.

FINDINGS

1. G. G. & E. LLC has requested this rezoning of 2.23 acres currently zoned LI (Light Industrial) to be rezoned HB (Highway Business).
2. Surrounding the subject site are both LI and HB uses and zoning classifications.
3. The area was originally zoned I-2. When conversion of zoning districts with UDO adoption took place, most lands zoned I-2 were reclassified as LI.
4. At one time there had been uses on this property that would have qualified as HB, at the time of reclassification this was not the case and the property was reclassified as LI.
5. Rezoning of the subject site to HB would not be inconsistent with surrounding zoning and uses. Staff recommends approval.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

[*For information purposes only:* The draft *Legacy* plan designates the area in which the project site lies as the Suburban Neighborhoods area of the Municipal Service Area. The Suburban Neighborhoods area is considered appropriate for future urban or suburban development.]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Kerry Avant moved approval of the zoning map amendment.

SECOND: James Rousseau

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning