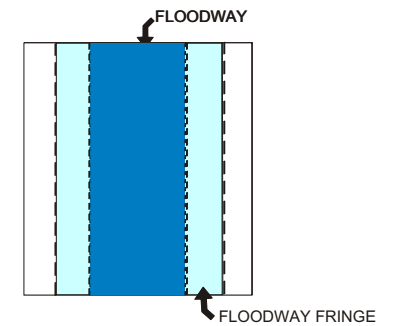


**DOCKET #:** F1418

**PROPOSED ZONING:**  
GI

**EXISTING ZONING:**  
RS-9

**PETITIONER:**  
Eugene J. Corbisiero  
for property owned by Same



**SCALE:** 1" represents 600'

**STAFF:** Roberts

**GMA:** 3

**ACRE(S):** 2.94

**MAP(S):** 636822



September 22, 2004

Eugene J. Corbisiero  
1644 Reynolda Road  
Winston-Salem, NC 27104

RE: ZONING MAP AMENDMENT F-1418

Dear Mr. Corbisiero:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners.

When the rezoning is scheduled for public hearing, you will be notified by Jane Cole, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, AICP  
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office  
Mary Bumgardner, 5210 S. Main Street, Winston-Salem, NC 27107  
Michael Smith, 5046 Stiletto Road, Winston-Salem, NC 27107  
Sherman Richardson, 5010 S. Main Street, Winston-Salem, NC 27107  
Fred Hauser, 119 Fishel Road, Winston-Salem, NC 27107



COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Eugene J. Corbisiero, Docket

AN ORDINANCE AMENDING  
THE FORSYTH COUNTY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF THE  
COUNTY OF FORSYTH,  
NORTH CAROLINA

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BE IT ORDAINED by the Board of County Commissioners of the County of Forsyth as follows:

Section 1. The Zoning Ordinance of the *Unified Development Ordinances* of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from RS-9 to GI the zoning classification of the following described property:

Tax Block 2708, Tax Lots 6 and 10

Section 2. This ordinance shall become effective upon adoption.

## ZONING STAFF REPORT

**DOCKET #** F-1418  
**STAFF:** Gary Roberts

Petitioner(s): Eugene J. Corbisiero  
Ownership: Same

### **REQUEST**

From: RS-9 Single Family Residential District; 9,000 sf minimum lot size  
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: 2.94

### **LOCATION:**

Street: East side of South Main Street north of Jones Road.  
Jurisdiction: Forsyth County.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Single family home and accessory building.

Adjacent Uses:

Northeast-	Undeveloped property zoned RS-9.
East-	Undeveloped property zoned RS-9.
South-	Single family residential zoned RS-9.
West-	Undeveloped property and industrial uses zoned LI.
North-	Single family residence, zoned GI.

### **GENERAL AREA**

Character/Maintenance: Mixture of undeveloped property, well maintained single family homes and industrial uses zoned LI, GI and RS-9.

Development Pace: Slow.

## **HISTORY**

Relevant Zoning Cases:

1. F-1401; RS-9 to RM-8-S (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; and Residential Building, Townhouse); approved March 22, 2004; southeast corner of Main Street and Jones Road; 10.08 acres; Planning Board and staff recommended approval.
2. F-1345; RS-9 to LI-S (Multiple Uses); withdrawn August 30, 2001; southwest corner of South Main Street and Fishel Road; 2.19 acres; Planning Board and staff recommended denial.
3. F-1298; LI & RS-9 to LI; approved May 22, 2000; southwest side of Main Street south of Barnes Road; 21.72 acres; Planning Board and staff recommended approval.
4. F-158; R-6 to I-3; approved August 3, 1970; east side of South Main Street, 1200 feet south of Barnes Road, directly north of current site; 3.88 acres; Planning Board and staff recommended approval.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: No impact determined with general use request.

Topography: Moderate to steep slope downward from the southwest corner of the site to the northeast section of the site.

Streams: No streams are on or near the subject property.

Vegetation/habitat: Mature hardwood vegetation is located in the southern section of the subject property.

Wetlands: A PUBHh (Palustrine, Unconsolidated Bottom, Permanently Flooded, Diked/Impounded) is located just to the north of the subject property.

Environmental Resources Beyond The Site: Because it is a general use petition, this proposal's impact to environmental resources beyond the site cannot be determined at this time.

Water Supply Watershed: The subject property is not located in a water supply watershed.

## **TRANSPORTATION**

Direct Access to Site: South Main Street.

Street Classification: South Main Street – Minor Thoroughfare.

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

Main Street between Barnes and Fishel Roads = 7,800/16,100

Fishel Road between Main Street and US 52 = 2,000/11,100

Planned Road Improvements: None.

Sidewalks: None.

Transit: None.

Bicycle Route: None.

## **HISTORIC RESOURCES REVIEW**

Known Historic Resources: The subject property is located within the historic boundaries of the Friedberg Town Lot.

Comments: No historical or archaeological sites are noted on the site according to the Moravian Southern Country Congregations Study.

## **CONFORMITY TO PLANS**

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): In the Economic Vitality chapter, *Legacy* notes that this community has a scarcity of sites with the right characteristics for economic development and that we therefore should make the wisest use of these limited resources.

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

## **ANALYSIS**

The request is to rezone 2.94 acres located on the east side of South Main Street from RS-9 to GI. The site is undeveloped with the exception of one single family residence. The northern section is traversed by an overhead electric transmission line. A partially constructed concrete block wall which appears to be recently added is along the right-of-way frontage.

The surrounding development pattern consists of some industrial uses to the northwest which are zoned LI and GI. Low density residential uses zoned RS-9 and MH lie further to the south. The site is located less than ¼ of a mile from the interchange of US 52 and South Main Street, Because of the site's access to transportation facilities and other factors, this general area is listed as a potential industrial site on the "Industrial Opportunity Areas" list. This list, prepared jointly by the City of Winston-Salem and Winston-Salem Business Inc., in 1992, indicates that such sites should be given careful consideration for future industrial development.

In 2000, staff supported a rezoning request for LI on 21+ acres located across South Main Street from the subject site. The larger size and more moderate industrial classification were two of the reasons for staff's support. Main Street is a primary entryway into Winston-Salem. In addition, over 200 single family and townhouse units were recently approved less than one half mile south of the subject site. Staff is concerned that some of the more intensive uses of the requested GI district would be detrimental not only to the long term development potential of this industrial area, but to the overall character of this corridor and the growing residential areas as well. Some of the uses allowed in the GI district which are not allowed in the LI district are: Motor Vehicle Dismantling and Wrecking Yard; Adult Establishments (if 500 feet from a residential district); Manufacturing C, (with outside storage); and Storage and Salvage Yards.

The existing GI property to the north of the site was approved in 1970 and had not been developed yet for industrial use. Staff does not believe that piecemeal GI zoning for this general area is in the best interest of the broader community. Both *Legacy* and the Industrial Opportunity Areas list support a more comprehensive stewardship of our limited industrial growth areas. Staff therefore recommends denial of the subject request.

## **FINDINGS**

1. *Legacy* recommends making wise use of our limited properties sited for economic development.
2. The subject property is not located within the boundaries of an area plan or development guide.
3. The site is listed as a potential industrial site on the 1992 "Industrial Opportunity Areas" list. However, piecemeal GI zoning undermines the potential to assemble larger tracts for significant, comprehensively planned industrial development.
4. The proposed GI district allows multiple uses which would be not be in keeping with the adjacent LI development and also may not be complementary to the overall character of this entryway corridor and the growing residential areas as well.

## **STAFF RECOMMENDATION**

Zoning: **DENIAL**

Gary Roberts presented the staff report.

## **PUBLIC HEARING**

FOR:

Eugene Corbisiero, 1644 Reynolda Road, Winston-Salem, NC 27106

- We're a neighbor-friendly business.
- We own the GI just to the north of this site and wanted to expand.

AGAINST:

Mary Bumgardner, 5210 S. Main Street, Winston-Salem, NC 27107

- This area is basically residential. I really want to maintain that. Although the designations around are GI, LI, etc., it doesn't come across as an industrial area because of the huge wooded setbacks, etc.
- I think putting something GI here would have a serious negative impact on this area.
- I've driven by the fencing and don't feel buffered at all.

Michael Smith, 5046 Stiletto Road, Winston-Salem, NC 27107

- The wall itself is ugly. It won't hide anything.
- This is the main entrance to my house
- There's a big gully behind it and a farmed lot.

Sherman Richardson, 5010 S. Main Street, Winston-Salem, NC 27107

- My family owns and controls all the property across the street.
- I see no way that a junkyard across the street won't hurt everything around here.



- We would like to see the area continue to grow, not decline.
- The wall is brand new, 3-4 months, and doesn't buffer anything.
- This area does have a lot of potential for growth in the future.
- We need careful growth. This seems to add nothing.

Fred Hauser, 119 Fishel Road, Winston-Salem, NC 27107

- I live in this area also.
- I'm against this change because I think it will decrease the property value of everything around it.

## **WORK SESSION**

After expressions of concern over the general use industrial zoning requested for this site, the following motion was made:

MOTION: Dara Folan moved denial of the zoning map amendment.

SECOND: Carol Eickmeyer

The petitioner stated that special use zoning would not be a problem.

After further discussion, the petitioner indicated that special use district zoning would be okay, Dara Folan withdrew his motion. He noted that he was not sure how he would vote if it comes back as a GI-S request. There was further discussion about the wide range of uses permitted in general use district zoning under the GI classification.

The chairman explained to the petitioner that the Board would be interested in continuing this request for 30 days, giving the petitioner time to get with staff and see what other options would be viable. At this point the petitioner opted to have the Planning Board go ahead and vote on the request today as submitted.

MOTION: Dara Folan moved denial of the zoning map amendment.

SECOND: Carol Eickmeyer

VOTE:

FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Norwood, Smith

AGAINST: None

EXCUSED: None

According to information furnished on July 28, 2004 by the Office of the Tax Assessor, the subject property was in the name of Eugene J. Corbisiero.

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A. Paul Norby, AICP  
Director of Planning