

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket</b>	W-3510
<b>Staff</b>	<a href="#">Tiffany White</a>
<b>Petitioner(s)</b>	EMClay Properties, LLC
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN 6835-47-1190
<b>Address</b>	509 E. Third Street
<b>Type of Request</b>	General Use rezoning from LI to CI
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> LI (Limited Industrial) <b>to</b> CI (Central Industrial).</p> <p><b>NOTE:</b> General, Special Use Limited, and Special Use district zoning were discussed with the petitioner(s), who decided to pursue the rezoning as presented. With a General Use request, all uses in the district must be considered.</p>
<b>Neighborhood Contact/Meeting</b>	Neighborhood outreach was not required as part of this request, as the subject property is not within 500 feet of residential zoning.
<b>Zoning District Purpose Statement</b>	The CI District is intended to accommodate biomedical, technological, scientific, and other public and private research uses within GMA 1. The district is also intended to accommodate a pedestrian oriented mixture of uses such as office, retail, residential and light manufacturing to support the primary research function of the district. The district encourages innovation by offering flexibility in design and layout requirements in an urban context. Development in the CI District should incorporate pedestrian-oriented design elements such as facade articulation, sidewalks, open space plazas, entrances facing the street, windows, awnings, and structured parking.
<b>Rezoning Consideration from Section 3.2.15 A 13</b>	<p><b>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Yes, the proposed project is a commercial structure in a pedestrian-oriented environment and adjacent to other CI zoning. The area is also well-served by sidewalks and is located within the City Center Growth Management Area (GMA 1).</p>
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	Northwest corner of E. Third Street and N. Research Parkway
<b>Jurisdiction</b>	Winston-Salem
<b>Ward(s)</b>	East
<b>Site Acreage</b>	± .23 acres
<b>Current Land Use</b>	The site is currently developed with a single-story commercial building and surface parking.

<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>		<b>Use</b>		
	North	CI		Apartment building		
	East	LI		Surface parking		
	South	CI		Undeveloped		
	West	LI		Data Center		
<b>Rezoning Consideration from Section 3.2.15 A 13</b>	<b>Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>					
	The proposed uses are compatible with the uses permitted on the adjacent CI and LI properties.					
<b>Physical Characteristics</b>	The developed property is essentially flat.					
<b>Proximity to Water and Sewer</b>	The subject property has access to public water and sewer from the surrounding streets.					
<b>Stormwater/ Drainage</b>	No known stormwater or drainage issues exist on-site.					
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed or overlay district.					
<b>Analysis of General Site Information</b>	The developed site is surrounded by industrial zoning and has access to public water and sewer from surrounding streets.					
<b>RELEVANT ZONING HISTORIES</b>						
<b>Case</b>	<b>Request</b>	<b>Decision &amp; Date</b>	<b>Direction from Site</b>	<b>Acreage</b>	<b>Recommendation</b>	
					<b>Staff</b>	<b>CCPB</b>
W-3097	LI, CI, and CB to CI	Approved 5/2/2011	Directly south	44.03	Approval	Approval
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>						
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>Average Daily Trip Count</b>	<b>Capacity at Level of Service D</b>		
E. Third Street	Minor Thoroughfare	104 feet	4,400	15,800		
<b>Proposed Access Point(s)</b>	Because this is a General Use request, the exact location of access points is unknown. The site currently has vehicular access from E. Third Street.					
<b>Sidewalks</b>	Sidewalks exist along both sides of E. Third Street and along N. Research Parkway.					
<b>Transit</b>	Multiple WSTA Routes run along E. Fifth Street, two blocks north of the site.					
<b>Transportation Impact Analysis (TIA)</b>	A TIA is not required.					

<b>Analysis of Site Access and Transportation Information</b>	The site is located within the Downtown area, which is well-served by transit and sidewalks. Accordingly, the CI Zoning District has no minimum parking requirements. However, parking capacity exists on a surface lot adjacent to the site and publicly accessible on-street parking also exists in the area surrounding the site.
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 1 – Center City
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• Encourage reuse of vacant and underutilized commercial and industrial sites.</li> <li>• Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>Downtown Plan</i> (2013)
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• The Area Plan recommends mixed-use development for the site.</li> </ul>
<b>Site Located Along Growth Corridor?</b>	The site is not located along a growth corridor.
<b>Site Located within Activity Center?</b>	The site is not located within an activity center.
<b>Rezoning Consideration from Section 3.2.15 A 13</b>	<b>Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>Is the requested action in conformance with <i>Legacy 2030</i>?</b>
	Yes
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>The request would rezone a .23-acre developed site from LI to CI. The site is in an urban setting surrounded by businesses, housing, and planned future development.</p> <p>The site is in an established, mixed-use setting in the southeastern part of Downtown, and is surrounded by other CI Zoning.</p> <p>The <i>Downtown Plan</i> recommends mixed-use development for the subject property along with the majority of Downtown. The CI District is consistent with this recommendation in that it allows for business, residential, and institutional land uses within an urban, pedestrian-oriented context.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed CI Zoning is consistent with the recommendations of the <i>Downtown Area Plan</i> and <i>Legacy</i> .	The proposed land use map recommends mixed-use development for the site. While CI Zoning allows mixed-use development, the proposed General Use request would not require the site to be developed with more than one use.
The site is in a pedestrian-oriented area well-served by transit and sidewalks.	
The site is adjacent to other properties with CI zoning.	
The proposed CI District will allow more development flexibility on the subject property than is permitted by the existing zoning.	

**STAFF RECOMMENDATION: Approval**

**NOTE:** These are **staff comments** only; the City-County Planning Board makes final recommendations, and final action is taken by the appropriate Elected Body, which may approve, deny, continue or request modification to any request. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3510  
DECEMBER 9, 2021**

Desmond Corley presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Walter Farabee

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning amendment.

SECOND: Walter Farabee

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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Chris Murphy, AICP  
Acting Director of Planning and Development Services