

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3571
Staff	Amy Crum
Petitioner(s)	East Best, LLC
Owner(s)	Same
Subject Property	PIN 6834-73-1197
Address	589 Battery Drive, Winston-Salem
Type of Request	General Use Rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from GI (General Industrial) and LI (Limited Industrial) to LI (Limited Industrial).</p> <p>NOTE: General, Special Use Limited, and Special Use 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>
Neighborhood Contact/Meeting	As no residentially zoned property is located within 500 feet of the subject property, neighborhood outreach was not required.
Zoning District Purpose Statement	The LI District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial and service activities which, in their normal operations, have little or no adverse effect upon adjoining properties. The district is established to provide locations for industrial development in GMAs 1, 2, 3 and 4 and Metro Activity Centers.
Rezoning Consideration from Section 3.2.19 A 16	<p>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is located within Growth Management Area 2 and is surrounded by industrial uses and undeveloped property. One residential building is located adjacent to the property but is currently zoned LI. By downzoning the entirety of the property to LI, the remaining uses allowed on the subject property will have minimal adverse impacts on the residential use.</p>
GENERAL SITE INFORMATION	
Location	Northwest corner of the intersection of Battery Drive and Middleton Street. South of Starlight Drive.
Jurisdiction	Winston-Salem
Ward(s)	Southeast
Ward(s) July 2023	Southeast
Site Acreage	± 2.74 acres
Current Land Use	Industrial Building

Surrounding Property Zoning and Use	Direction	Zoning District	Use			
	North	N/A	Interstate 40 Right-of-Way and Starlight Drive			
	East	LI	Undeveloped property and a single-family residential building			
	South	GI and LI	Undeveloped property and an industrial building			
	West	GI	Industrial building			
Rezoning Consideration from Section 3.2.19 A 16	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	Yes. The site is surrounded by properties zoned for General and Light Industrial.					
Physical Characteristics	The site is currently developed with one 46,912sf industrial building, the former Douglas Battery Plant, built in 1977. The building occupies the southern half of the property with parking located along the southern and western property lines.					
Proximity to Water and Sewer	The site has access to public water and sewer.					
Stormwater/ Drainage	The site is developed. As a site plan was not submitted as part of this request, staff cannot determine if any changes to the site would trigger stormwater review and mitigation. There are no known drainage issues on the site.					
Watershed and Overlay Districts	The site is not located in a watershed or overlay district.					
Analysis of General Site Information	The site is currently developed with one building approximately 47,000sf in size, with parking located to the southern and western portions of the property. The site has access to public water and sewer and no significant development constraints exist.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1977	LI to GI	Approval 08/07/1995	South	75.98	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Battery Drive	Private Street	300 ft.	N/A	N/A		
Middleton Street	Local Street	473.5 ft.	N/A	N/A		
Starlight Drive	Collector Street	59.5 ft.	N/A	N/A		
Proposed Access Point(s)	As a site plan was not submitted with the request, any change to the current access cannot be determined. The main access is currently from					

	Battery Drive, a private street. A secondary gated access drive is located on Starlight Drive. This access is shared with the adjacent property to the west.
Trip Generation - Existing/Proposed	Existing Zoning – GI and LI <ul style="list-style-type: none"> • 46,912sf Warehousing/1000 x 3.56 (trip rate) = 167 trips per day. Proposed Zoning - LI As this is a General Use Rezoning request, specific uses for the property are not specified. As such, trip generation cannot be determined.
Sidewalks	Sidewalks do not currently exist on Battery Drive, Middleton Street, or Starlight Drive. Sidewalks do exist on Old Lexington Road north of Starlight Drive.
Transit	WSTA route 104 runs along Old Lexington Road. The closest transit stop is located at the intersection of Old Lexington Road and Clemmonsville Road approximately .25 miles from site.
Analysis of Site Access and Transportation Information	The site is currently developed with one building and two parking areas. Access to the property is from a private road, Battery Drive, with a secondary access located on Starlight Drive. Transit access is within a reasonable walking distance from the site; however, sidewalks do not currently exist on any adjacent roads. No changes to the access to the site or adjacent roadways is anticipated within this request.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 2 - Urban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Stimulate redevelopment and increased economic activity on abandoned, obsolete or aging industrial sites as well as commercial areas/corridors that have become less economically attractive. • Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area. • Recognize the scarcity of good industrial land and promote the wisest economic use of those limited resources to generate needed jobs and create wealth for our community. • Protect planned industrial areas by following the recommendations of the Planning Department’s industrial sites study, area plans and other development guides.
Relevant Area Plan(s)	<i>South Suburban Area Plan Update (2018)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The Proposed Land Use Map shows the subject property as being recommended for industrial development. • Rezone land for business/industrial development in a manner consistent with the recommended Proposed Land Use Plan.

	<ul style="list-style-type: none"> Encourage and support the redevelopment/rehabilitation of existing older/underutilized commercial and industrial sites.
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Rezoning Consideration from Section 3.2.19 A 16	Have changing conditions substantially affected the area in the petition?
	No
	Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The request is consistent with the recommendations of <i>Legacy</i> and the <i>South Suburban Area Plan Update</i>.</p> <p>This request would reuse an aging and underutilized industrial site. Reuse of the building could potentially stimulate redevelopment and increased economic activity in an area with vacant industrial-zoned land. Furthermore, the uses allowed under the LI District will have minimal adverse impacts on the residential property to the east compared to uses allowed under GI zoning.</p>
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed request is consistent with the <i>South Suburban Area Plan Update</i> land use recommendation.	The request will downzone an industrial property from GI to LI. This will limit the allowed uses on an industrial site within the City, which already has limited industrial property.
The proposed request is generally consistent with <i>Legacy 2030</i> .	
The rezoning will allow for use of an underutilized industrial property.	
The LI zoning district is more compatible with the existing residential structure located across Middleton Street from the subject property than GI zoning.	
The subject property is surrounded by LI zoned property to the east and south.	

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.

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3571
APRIL 13, 2023**

Marc Allred 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: Jason Grubbs

VOTE:

FOR: George Bryan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Salvador Patiño, Brenda Smith

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Salvador Patiño, Brenda Smith

AGAINST: None

EXCUSED: None

Chris Murphy, AICP/CZO
Director of Planning and Development Services