

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3389
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	The Liberty Group, LLC/Castle Rock Holdings
Owner(s)	Same
Subject Property	PIN#s 6836-20-7166, 6836-20-7058, 6836-20-8028, 6836-20-8191, 6836-20-9058, 6836-30-0154, 6836-30-0317, 6836-30-2068, 6836-30-3089, 6836-30-4143, 6836-30-4390, 6836-30-6200, 6836-30-6435, 6836-30-6484, 6836-30-2657, 6836-30-2265, 6836-30-2367, 6836-30-2569, 6836-30-2663, 6836-20-8297, 6836-20-9303, 6836-20-9307, 6836-20-9259, 6836-30-5776, and 6836-31-6108
Address	1201 North Patterson Avenue and other addresses
Type of Request	General use rezoning from LI, GI, and GB-S to E
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial); GI (General Industrial); and GB-S (General Business – special use – Residential Building, Townhouse; Residential Building, Multifamily; Boarding or Rooming House; Combined Use; Family Group Home B; Family Group Home C; Life Care Community; Arts and Crafts Studio; Convenience Store; Food or Drug Store; Fuel Dealer; Furniture and Home Furnishings Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; Shopping Center; Wholesale Trade A; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Car Wash; Funeral Home; Hotel or Motel; Kennel, Indoor; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Storage Yard; Offices; Services A; Services B; Storage Services, Retail; Testing and Research Lab; Veterinary Services; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Adult Daycare Center; Animal Shelter, Public; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Daycare Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices, Neighborhood Organization, Post Office; Group Care Facility A; Group Care Facility B; Group Care Facility C; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; Shelter for the Homeless; Manufacturing A; Park and Shuttle Lot; Parking, Commercial; Transmission Tower; and Utilities) to E (Entertainment District).</p> <p>NOTE: General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as</p>

	presented. With a General use, all uses in the District must be considered.		
Neighborhood Contact/Meeting	See Attachment C for a summary of the petitioner’s neighborhood outreach.		
Zoning District Purpose Statement	The E District is primarily intended to accommodate a mixture of retail, office, residential, and entertainment (indoor and outdoor) related uses. This district is intended for application in GMAs 1 and 2.		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes, the site is located within GMA 2 and it is adjacent to a mixture of other zonings including E-L.		
GENERAL SITE INFORMATION			
Location	East and west sides of North Patterson Avenue between Tenth Street and Northwest Boulevard		
Jurisdiction	City of Winston-Salem		
Ward(s)	Northeast and East		
Site Acreage	± 20.91 acres		
Current Land Use	The site contains a mixture of currently unoccupied buildings totally approximately 300,000 square feet. A significant portion of the site is also undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	GB-S	Samaritan Ministries
	East	LI, E-L, and GI	Undeveloped property and Plyler Supply Company
	South	GB	Multiple industrial buildings, Bethesda Center for the Homeless, and Crisis Control Ministry
	West	GI, GO, and LI	Industrial buildings and the Alexander Beaty Public Safety Training and Support Center
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?		
	Yes, the broad mixture of uses permitted on the adjacent properties are generally compatible with the uses permitted in the proposed E district.		
Physical Characteristics	North School Branch generally forms the northern boundary of the subject property. However, the regulatory floodplain for this creek starts further downstream to the west of the site across North Patterson Avenue. The site has a gentle to moderate slope downward generally toward North School Branch. There are a few mature trees on the site; however, most of the undeveloped portion is covered with grass, undergrowth, and kudzu.		

Proximity to Water and Sewer		The site is served with public water and sewer service.				
Stormwater/ Drainage		No known issues.				
Watershed and Overlay Districts		The site is not located within a water supply watershed.				
Analysis of General Site Information		The subject property has a long history of industrial land use. Many buildings with an extensive amount of square footage remain on the site. The site is traversed by several platted, unopened streets which may need to be petitioned for closure prior to significant redevelopment activities taking place. Otherwise, the site has no apparent development constraints.				
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3274	LI to E-L	Approved 11-2-2015	Directly southwest	9.31	Approval	Approval
W-3247	GI to GO	Approved 2-2-2015	Directly east	3.1	Approval	Approval
W-3138	PB & GI to GB-S	Approved 4-2-2012	Directly north	2.6	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name		Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
North Patterson Avenue		Minor Thoroughfare	1,625	4,800	11,900	
East Tenth Street		Local Street	949'	NA	NA	
North Chestnut Street		Local Street	183'	NA	NA	
East Eleventh Street		Local Street	250'	NA	NA	
Ivy Avenue		Collector Street	685'	NA	NA	
Proposed Access Point(s)		Because this is a general use request with no site plan, the exact location of access points is unknown.				
Trip Generation - Existing/Proposed		No trip generation is available for the existing or proposed general use zonings which have no site plan.				
Sidewalks		Sidewalks are located along both sides of North Patterson Avenue, East Eleventh Street, and Ivy Avenue.				
Transit		Route 91 runs along North Patterson Avenue.				
Analysis of Site Access and Transportation Information		The site is located in an area which is well served by a connected network streets which appear to have ample capacity. The area is also served by sidewalks and transit. When new development occurs within the proposed E district, the developers may be required to install pedestrian crosswalks at any location within the district where pedestrians cross public streets.				

	<p>Additional street lighting may also be required and a parking study may be required to demonstrate how the parking needs can be conveniently accommodated.</p> <p>A City driveway permit will be required for any change of use or redevelopment of the site.</p>
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"> • Encourage the development of new entertainment venues Downtown with larger facilities located near the northern edge. • Encourage both residential and nonresidential infill development/redevelopment vs. greenfield development.
Relevant Area Plan(s)	<i>North Central Winston-Salem Area Plan Update (2015)</i>
Area Plan Recommendations	<p style="text-align: center;"><u>General Recommendations:</u></p> <ul style="list-style-type: none"> • The revitalization of older/underutilized commercial and industrial sites and buildings is encouraged (p.21). <p style="text-align: center;"><u>Specific Recommendations:</u></p> <ul style="list-style-type: none"> • The subject property is located within the Ivy Avenue and East Tenth Street Industrial Opportunity Area. This plan makes the following recommendations for this area: <ul style="list-style-type: none"> • Encourage and support the redevelopment/rehabilitation of existing older/underutilized industrial sites in the defined industrial opportunity area. • Identify not-for-profit businesses using a similar model to Industries for the Blind that could partner with homeless service providers and offer job and training opportunities in the planning area's Industrial Opportunity Area (see the Economic Development Recommendation section on page 50). • Limit development to light industrial, office, and institutional uses on sites adjacent to existing institutional and commercial uses.
Site Located Along Growth Corridor?	The site is located along the North Patterson Avenue Growth Corridor where Commercial/Office/Multifamily development with Urban Form is recommended.
Site Located within Activity Center?	The site is not located within an activity center.
Applicable Rezoning Consideration from Chapter B,	<p>(R)(3) - Have changing conditions substantially affected the area in the petition?</p> <p>Many of the directly abutting properties located in all four directions from the subject property have experienced either rezoning and/or reinvestment</p>

Article VI, Section 6-2.1(R)	activity over the last several years.	
	(R)(4) - Is the requested action in conformance with Legacy 2030?	
	Yes	
Analysis of Conformity to Plans and Planning Issues	The request is to rezone a 20.91 acre assemblage of properties located at the northeastern edge of downtown to the E district. Since the creation of this district and the associated use of Entertainment Facility, Large in 2012, there have been three other E or E-L rezoning approvals in this same general area.	
	As noted in the North Central Winston-Salem Area Plan Update, the subject property is located within the Ivy Avenue and East Tenth Street Industrial Opportunity Area. Staff notes that the existing industrial zoning in this area has served the site well for many years. However, with the extent of currently undeveloped land and the presence of approximately 300,000 square feet of primarily unoccupied space within the site, staff believes this request could facilitate much needed redevelopment in this area.	
	While the E district does not include many of the more intense industrial type uses, it does include Manufacturing A along with a wide mixture of retail, service, and residential uses which are not permitted in the current zoning. With the site located along two sides of a designated Growth Corridor (where mixed use urban form is recommended) the E district is considered a better fit to facilitate this vision than the present zoning.	
	The E district also includes requirements for street lighting and public crosswalks should any new Entertainment Facility, Large use be established within the district. The request meets the minimum acreage and spacing requirements of the proposed district.	
	The request is consistent with Legacy 2030 in that it would encourage the development of new entertainment venues near the northern edge of downtown. As noted previously, many of the properties in this area have undergone significant new investment (including new buildings as well as the adaptive reuse of older structures) over the last several years. The proposed Entertainment district may encourage additional development and street life in this area and Planning staff supports the request.	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
The request is consistent with the E district purpose statement and district requirements.		The request would remove the industrial zoning classification from an area which has historically been used for industrial purposes.
The site is adjacent to a mixture of intense zoning districts including some E-L zoning located to the southwest.		

The request could spur redevelopment activity into a significantly under developed/underutilized area where urban services are already in place.	
The request is consistent with the <i>Legacy 2030</i> recommendation to encourage new entertainment venues near the northern edge of downtown.	
The request may result in additional lighting and pedestrian crosswalks being installed within the proposed district by the developer based upon future development.	

STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **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-3389
NOVEMBER 8, 2018**

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning petition.

SECOND: Chris Leak

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Arnold King,
Clarence Lambe, Chris Leak, Brenda Smith

AGAINST: None

EXCUSED: None

Aaron King
Director of Planning and Development Services