November 23, 2022

Cong Of U B Uron H
501 S Main Street
Winston-Salem, NC 27101

Re: Zoning Petition F-1622

Dear Petitioner:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners. You will be notified by the Board of Commissioner’s Office of the date on which the Commissioners will hear this petition.

Sincerely,

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

pc: Clerk to the Board of Commissioners, Forsyth County Government Center - 5th Floor, 201 N. Chestnut Street, Winston-Salem, NC 27101
Donald Andersen, 5295 Sam Hollow Drive, Winston-Salem, NC 27106
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 **RS9** to **IP** the zoning classification of the following described property:

PIN 5896-57-0345

Section 2. This ordinance shall become effective upon adoption.
**PETITION INFORMATION**

<table>
<thead>
<tr>
<th>Docket</th>
<th>F-1622</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Amy McBride</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Olivet Moravian Church</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN 5896-57-0345</td>
</tr>
<tr>
<td>Address</td>
<td>2205 Olivet Church Road</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General Use Rezoning</td>
</tr>
</tbody>
</table>

**Proposal**
The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential Single Family) to IP (Institutional & Public).

**NOTE:** 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.

**Neighborhood Contact/Meeting**
A summary of the petitioner’s neighborhood outreach is attached.

**Zoning District Purpose Statement**
The IP District is intended to accommodate public and institutional uses which have a limited land use impact or traffic generation potential upon surrounding uses. The district is intended to accommodate smaller, less intensive public and institutional uses which have concentrated service areas and are located in or near residential areas, or larger, less intensive recreational or institutional facilities in rural areas.

**Rezoning Consideration from Section 3.2.19 A 16**
Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?
Yes, the request contains an existing church. The site is located within GMA 3 and fronts along a minor throughfare. The site is surrounded by residential development and is close to an activity center.

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>The east side of Olivet Church Road, north of Birchdale Drive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Forsyth County</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 2.68</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Church or Religious Institution, Neighborhood Scale</td>
</tr>
</tbody>
</table>

**Surrounding Property Zoning and Use**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS9</td>
<td>Olivet Church property and single-family homes</td>
</tr>
<tr>
<td>East</td>
<td>RS9</td>
<td>Olivet Church property and single-family homes</td>
</tr>
<tr>
<td>South</td>
<td>RS9</td>
<td>Olivet Church property and single-family homes</td>
</tr>
<tr>
<td>West</td>
<td>RS9</td>
<td>Single-family homes</td>
</tr>
</tbody>
</table>
Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes, the church will continue to operate from this location and is compatible with the single-family residential uses permitted on the adjacent RS9 zoned properties.

Physical Characteristics

The site is currently developed with a large building, parking lots and cemetery. There is a slight increase in grade from the west property line to the middle of the site, then a gentle slope back towards the northeast. Several large caliper hardwood specimen trees exist throughout the site.

Proximity to Water and Sewer

Public water can be accessed from Olivet Church Road. Public sewer is not available. There is existing private septic on site.

Stormwater/Drainage

Staff is not aware of any existing stormwater issues at this location.

Watershed and Overlay Districts

The site is not located within a watershed or overlay district.

Historic, Natural Heritage and/or Farmland Inventories

This parcel is the site of the 1929 Olivet Moravian Church (FY0641), which was replaced by the existing Olivet Moravian Church (FY9146) in 1989. There is a cemetery in the northeast corner of the parcel.

Analysis of General Site Information

The subject property is developed with a church, parking areas and cemetery. The site does not include any steep slopes, regulatory floodplain or water supply watershed areas.

Relevant Zoning Histories

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>F-1476</td>
<td>RS9 and LB to IP</td>
<td>Approved 3/26/2007</td>
<td>1,030 feet southwest</td>
<td>11.65</td>
<td>Approval Approval</td>
</tr>
</tbody>
</table>

Site Access and Transportation Information

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Olivet Church Road</td>
<td>Minor Thoroughfare</td>
<td>334 feet</td>
<td>6,200</td>
<td>15,300</td>
</tr>
</tbody>
</table>

Proposed Access Point(s)

Because this is a General Use request without a site plan, proposed access points are unknown. There are currently four access points to Olivet Church Road from the Olivet Church property. Two of those access points are within the boundary of the rezoning request.

Trip Generation - Existing/Proposed

Existing Zoning: RS9

Church or Religious Institution, Neighborhood Scale (current use) 19,440 sf building/1000 x 9.11 (Church trip rate) = 177 trips per day

Proposed Zoning: IP

Staff is unable to estimate trip generation for the proposed zoning because it is a General Use request.

Sidewalks

There are no sidewalks in the general area.
<table>
<thead>
<tr>
<th><strong>Transit</strong></th>
<th>Public transit is not available in this area.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Analysis of Site Access and Transportation Information</strong></td>
<td>Ample vehicular capacity exists along this section of Olivet Church Road, and therefore staff does not foresee any transportation-related issues associated with this request.</td>
</tr>
</tbody>
</table>

### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th><strong>Legacy 2030 Growth Management Area</strong></th>
<th>Growth Management Area 3 - Suburban Neighborhoods</th>
</tr>
</thead>
</table>
| **Relevant Legacy 2030 Recommendations** | • Facilitate the location of local-serving retail and public amenities at key, easy-to-access locations within neighborhoods.  
• Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area. |
| **Relevant Area Plan(s)** | *West Suburban Area Plan Update* (2018) |
| **Area Plan Recommendations** | • The area plan recommends institutional uses for this parcel.  
• Goods and services should be available near where people live and work.  
• Existing institutions should be permitted to grow and expand in a manner that is compatible with surrounding neighborhoods. |
| **Site Located Along Growth Corridor?** | The site is not located within a growth corridor. |
| **Site Located within Activity Center?** | The site is not located within an activity center. |
| **Comprehensive Transportation Plan Information** | The *Comprehensive Transportation Plan* recommends curb and gutter with wide outside lanes and sidewalks for this section of Olivet Church Road. |
| **Greenway Plan Information** | No greenway is proposed for this area. |
| **Addressing** | The current address will remain unchanged. |
| **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 Legacy 2030?**  
Yes |
| **Analysis of Conformity to Plans and Planning Issues** | The request is to rezone 0.27 acres of a developed site from RS9 to IP. The applicant wishes to install an electronic message board sign, which the Unified Development Ordinances do not allow residential zoning districts. |
The West Suburban Area Plan Update (2018) recommends Institutional uses for this site. The requested district and uses are compatible with the surrounding residential neighborhoods and the general recommendations of Legacy.

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The request is consistent with the recommendations of the West Suburban Area Plan Update and Legacy 2030.</td>
<td>The proposed zoning district would allow for an electronic message board sign, which may be a source of distraction for some drivers.</td>
</tr>
<tr>
<td>There are no anticipated traffic impacts associated with this request.</td>
<td></td>
</tr>
<tr>
<td>The proposed district is compatible with the existing institution and the surrounding land use pattern.</td>
<td></td>
</tr>
</tbody>
</table>

**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.**
Marc Allred presented the staff report.

George Bryan stated that he assumed this rezoning request was to allow for electronic message board signage. Marc stated that George’s assumption was correct. George mentioned to staff that he thought the UDO needed to be modified to allow electronic signage for institutions another way than through rezoning to IP. Brenda Smith agreed with George and stated that rezoning to the IP district involves too many changes for applicants who only want an electronic message board sign.

Chris Murphy acknowledged that this is an issue that staff has discussed internally for a few years. Chris stated there has been some concern about changing part of our local sign ordinance without addressing other existing issues. Recent case law prevents jurisdictions from regulating signage based upon content, and certain existing UDO provisions are content-based. Staff wanted to comprehensively address this issue before making any other change to the sign ordinance. As such, staff has directed institutions wanting electronic signage to the IP rezoning process.

Chris agreed this issue is something that staff needs to address. Jack Steelman asked staff to put this item on a list for attention by staff later this fiscal year.

**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: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño, Jack Steelman

AGAINST: George Bryan, Brenda Smith

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, Mo McRae, Salvador Patiño, Jack Steelman
  AGAINST: Brenda Smith
  EXCUSED: None

____________________________
Chris Murphy, AICP/CZO
Director of Planning and Development Services
DOCKET #: F-1622

PROPOSED ZONING: 
IP

EXISTING ZONING: 
RS9

PETITIONER: 
Cong Of Olivet Moravian Church

SCALE: 
1" represents 300'

STAFF: 
McBride

GMA: 
3

ACRES: 
2.68

NEAREST BLDG: 
132' east

MAP(S): 
5896.01; 5896.02
West Suburban Area Plan Update, 2018

(Proposed land uses shown are generalized. See area plan for specific recommendations.)

Rezoning
Activity Center
Special Land Use Condition Areas

Proposed Land Use
- Single-Family Residential (0-8 Du/Ac)
- Low-Density Attached Residential (0-8 DU/Ac)
- Intermediate-Density Residential (8.1-18 DU/Ac)
- High-Density Residential (over 18 DU/Ac)
- Office/Low-Intensity Commercial
- Commercial
- Institutional

Proposed Growth Corridor
- Urban/Suburban Form - Single-Family Residential

Case F-1622

Area Plan Recommendations
USES ALLOWED IN THE PROPOSED IP ZONING DISTRICT
Forsyth County Jurisdiction

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

- Cemetery
- Child Care, Drop-In
- Child Day Care, Small Home
- Church or Religious Institution, Neighborhood
- Family Group Home A
- Funeral Home
- Golf Course
- Government Offices, Neighborhood Organization, or Post Office
- Habilitation Facility A
- Habilitation Facility B
- Habilitation Facility C
- Hospice and Palliative Care
- Library, Public
- Museum or Art Gallery
- Nursing Care Institution
- Police or Fire Station
- Recreation Facility, Public
- Residential Building, Single Family
- Swimming Pool, Private
- Transmission Tower (see use-specific standards in UDO ClearCode)
- Utilities

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)

- Academic Biomedical Research Facility
- Adult Day Care Center
- Child Care Institution
- Child Care, Sick Children
- Child Day Care Center
- Child Day Care, Large Home
- Church or Religious Institution, Community
- Family Group Home B
- Park and Shuttle Lot
- Planned Residential Development
- School, Private
- School, Public
- School, Vocational or Professional

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)

- Club or Lodge
- College or University
- Family Group Home C
- Recreation Services, Indoor
- Recreation Services, Outdoor
- Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)

Access Easement, Private Off-Site
Animal Shelter, Public

SUP not required if standards of Section 5.2.2A are met
USES ALLOWED IN THE RS9 ZONING DISTRICT  
Forsyth County Jurisdiction

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)  
- Adult Day Care Home
- Agricultural Production, Crops
- Agricultural Production, Livestock
- Child Day Care, Small Home
- Church or Religious Institution, Neighborhood
- Family Group Home A
- Police or Fire Station
- Recreation Facility, Public
- Residential Building, Single Family
- Swimming Pool, Private
- Transmission Tower (see use-specific standards in UDO ClearCode)

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)  
- Church or Religious Institution, Community
- Cottage Court
- Golf Course
- Library, Public
- Limited Campus Uses
- Planned Residential Development
- School, Private
- School, Public
- Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)  
- Bed and Breakfast
- Child Day Care, Large Home
- Habilitation Facility A
- Manufactured Home, Class A
- Park and Shuttle Lot
- Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)  
- Access Easement, Private Off-Site
- Parking, Off-Site, for Multifamily or Institutional Uses

SUP not required if standards of Section 5.2.2A are met
November 2, 2022

To: Amy Mcbride
Project Manager
Inspections Division
City of Winston Salem / Forsyth County

From: Don Anderson – Re-Zoning Project Chairman
Olivet Moravian Church
2205 Olivet Church Road
Winston Salem, NC 27106

Re: Rezoning Application

I have spoken to several people in our church neighborhood regarding our intent to re-zone and to upgrade our front monument sign. No one has expressed any issues with this and in fact several thought it was a good idea for the church.

Please contact me if you have any questions.

Regards,

[Signature]

Don Anderson
DA / JB