Public hearing and consideration of zoning petition of Winston-Salem/Forsyth County Board of Education from RS9 to IP; property is located on the east side of the Fraternity Church Road and Hope Church Road intersection (Zoning Docket F-1625)

SUMMARY OF INFORMATION:-
See attached staff report.
After consideration, the Planning Board recommended approval of the rezoning petition.

ATTACHMENTS:-  X YES  ___ NO

SIGNATURE: ____________________________ DATE: ________________
County Manager
COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Winston-Salem/Forsyth County Board of Education, Docket F-1625

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

_________________________________

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 6803-41-6079

Section 2. This ordinance shall become effective upon adoption.
CITY-COUNTY PLANNING BOARD
STAFF REPORT

PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket</th>
<th>F-1625</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Tiffany White</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Winston-Salem/Forsyth County Board of Education</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN 6803-41-6079</td>
</tr>
<tr>
<td>Address</td>
<td>3775 and 3785 Fraternity Church Road</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General Use Rezoning</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential Single Family-9,000 sq ft minimum lot size) to IP (Institutional &amp; Public).</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Neighborhood Contact/Meeting</th>
<th>A summary of the petitioner’s neighborhood outreach is attached.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District Purpose Statement</td>
<td>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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rezoning Consideration from Section 3.2.19 A 16</th>
<th>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes, the request contains an existing school. The site is located within GMA 3 and fronts along a minor throughfare.</td>
</tr>
</tbody>
</table>

GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>The east side of Fraternity Church Road, south of South Stratford Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Forsyth County</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 45.19 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>School, Public</td>
</tr>
<tr>
<td>Surrounding Property Zoning and Use</td>
<td>Direction</td>
</tr>
<tr>
<td>North</td>
<td>LI and RS9</td>
</tr>
<tr>
<td>East</td>
<td>RS9</td>
</tr>
<tr>
<td>Rezoning Consideration from Section 3.2.19 A 16</td>
<td>Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Yes, the proposed institutional uses are compatible with the mixture of uses permitted on adjacent properties.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Physical Characteristics</th>
<th>The site is currently developed with two large school buildings, parking lots and recreation fields. There is a slight increase in grade at the northwest section of the property, and a gentle downward slope towards a stormwater pond at the southern portion of the property.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Proximity to Water and Sewer</th>
<th>Public water and public sewer exist on site.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Stormwater/Drainage</th>
<th>Staff is not aware of any existing stormwater issues at this location.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Watershed and Overlay Districts</th>
<th>The site is not located within a water supply watershed or overlay district.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Analysis of General Site Information</th>
<th>The subject property is developed with an elementary school and a middle school. The site does not include any steep slopes, regulatory floodplain, or water supply watershed areas.</th>
</tr>
</thead>
</table>

**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></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Staff</td>
</tr>
</tbody>
</table>

No relevant zoning histories exist in the vicinity.

### 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>Fraternity Church Road</td>
<td>Minor Thoroughfare</td>
<td>120 feet</td>
<td>5,000</td>
<td>15,800</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

Because this is a General Use request without a site plan, proposed access points are unknown. The access to this site is currently from the roundabout at Fraternity Church Road and Hope Church Road.
| Trip Generation - Existing/Proposed | Existing Zoning: RS9  
School, Public (current use)  
79,642 sf building/1000 x 15.43 (Elementary School trip rate) = 1,229 trips per day and 103,802 sf building/1000 x 13.78 (Middle School trip rate) = 1,430 trips per day. Total: 2,659 trips per day  
Proposed Zoning: IP  
Staff is unable to estimate trip generation for the proposed zoning because it is a General Use request. |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalks</td>
<td>There are no existing sidewalks along public road frontage in the general area.</td>
</tr>
<tr>
<td>Transit</td>
<td>Public transit is not available in this area.</td>
</tr>
<tr>
<td>Analysis of Site Access and Transportation Information</td>
<td>Ample vehicular capacity exists along this section of Fraternity Church Road. Staff does not foresee any transportation-related issues associated with this request.</td>
</tr>
</tbody>
</table>

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy 2030 Growth Management Area**  
Growth Management Area 3 - Suburban Neighborhoods

**Relevant Legacy 2030 Recommendations**
- Promote land use compatibility through good design and create a healthy mix of land uses in proximity to one another.
- Create new and enhance existing neighborhoods, emphasizing connectivity, walkability, and a variety of land uses, and access to services and institutional uses.

**Relevant Area Plan(s)**  
*Southwest Suburban Area Plan Update (2015)*

**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 along 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 sidewalks for this section of Fraternity Church Road.
### Analyses

#### Rezoning Consideration from Section 3.2.19 A 16

<table>
<thead>
<tr>
<th>Have changing conditions substantially affected the area in the petition?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is the requested action in conformance with Legacy 2030?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
</tr>
</tbody>
</table>

#### Analysis of Conformity to Plans and Planning Issues

The request is to rezone approximately 45.19 acres of a developed institutional site from RS9 to IP. The applicant wishes to install an electronic message board sign, which is not allowed within residential zoning.

The *Southwest Suburban Area Plan Update* (201) recommends Institutional land uses for this site. The requested district is 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 <em>Southwest Suburban Area Plan Update</em> 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 institutional use 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.
Bryan Wilson 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:  Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño, Brenda Smith, Jack Steelman
   AGAINST:  George Bryan,
   EXCUSED:  None

MOTION:  Clarence Lambe recommended approval of the ordinance amendment.
SECOND:  Walter Farabee
VOTE:
   FOR:  George Bryan, Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño, Brenda Smith, Jack Steelman
   AGAINST:  None
   EXCUSED:  None

____________________________
Chris Murphy, AICP/CZO
Director of Planning and Development Services
DOCKET #: F-1625

PROPOSED ZONING: IP

EXISTING ZONING: RS9

PETITIONER: Winston-Salem/Forsyth County Board of Education

SCALE: 1" represents 600'

STAFF: White

GMA: 3

ACRES: 45.19

NEAREST BLDG: 69' east

MAP(S): 6803.03; 6803.04

Property included in zoning request.

500' mail notification radius. Property not in zoning request.
Southwest Suburban Area Plan Update, 2015
(Proposed land uses shown are generalized. See area plan for specific recommendations.)

Rezoning
Activity Center
Special Land Use Condition Areas

Proposed Land Use
- Large-Lot Residential (over 5 Ac)
- Single-Family Residential (0-8 Du/Ac)
- Low-Density Attached Residential (0-8 DU/Ac)
- Office/Low-Intensity Commercial
- Commercial
- Industrial
- Institutional
- Park
- Utilities

Proposed Growth Corridor
- Rural Form - Large-Lot Residential
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 ZONING BOARD OF ADJUSTMENT (A)

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 ELECTED BODY (E)

Access Easement, Private Off-Site\(^5\)
Animal Shelter, Public

\(^5\)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 (F)

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

- Access Easement, Private Off-Site\(^5\)
- Parking, Off-Site, for Multifamily or Institutional Uses
- Transmission Tower (W)

\(^5\)SUP not required if standards of Section 5.2.2A are met
Ward Elementary conducted the following community outreach activities prior to the Community Rezoning Meeting held on November 22nd, 2022:

- The WSFCS communications department released the following press release on 11/9/22:
  
  CONTACT: Chris Runge FOR IMMEDIATE RELEASE
  PHONE: 336-727-8213 ext. 1 November 9, 2022
  CELL: 336-202-9354 EMAIL: crunge@wsfcs.k12.nc.us
  
  Ward Elementary Announces Community Rezoning Meeting

  Ward Elementary School is planning to install a new digital marquee at the entrance of the school's parking lot. School leaders will hold a rezoning meeting to seek community feedback on the project.

  The meeting will be held in the gymnasium of Ward Elementary at 6 p.m. on Tuesday, November 22. Ward is located at 3775 Fraternity Church Road in Winston-Salem.

- Ward Elementary sent out three Blackboard phone messages to the Ward community on 11/6, 11/13, and 11/20 announcing the community meeting being held on November 22nd.
- Ward's website has a pop-up message regarding the rezoning meeting, which has been active since 11/9/22.
- The school's marquee has an advertisement for the meeting, which has been on display since 11/14/22.

**Minutes and Public Comments from the rezoning meeting on 11/22/22**

Attendees:
Colin Tribby - Principal
N-Kenga Reich - Assistant Principal

The meeting began promptly at 6pm and concluded at 6:45pm. There were no community members present at the meeting. In addition to the aforementioned advertisements of the meeting we also placed signs on the Front Doors all day.