**ACTION REQUEST FORM**

**DATE:** January 25, 2023  
**TO:** The Honorable Mayor and City Council  
**FROM:** Chris Murphy, AICP/CZO, Director of Planning and Development Services

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Petition of Salem Congregation

**SUMMARY OF INFORMATION:**

Public hearing and consideration of zoning petition of Salem Congregation from C to GB-L (Building Contractors, General; Car Wash; Cemetery; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Institutional Museum or Art Gallery; Parking, Commercial; Storage Services, Retail-Internal Access; and Services, A); property is located on the northeast corner of the intersection of East Salem Avenue and City Yard Drive (Zoning Docket W-3559)

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED
BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from C to GB-L (Building Contractors, General; Car Wash; Cemetery; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Institutional Museum or Art Gallery; Parking, Commercial; Storage Services, Retail-Internal Access; and Services, A) the zoning classification of the following described property:

PINs 6835-43-6300, 6835-43-6213, and 6835-43-6156

Section 2. This Ordinance is adopted after approval of the Special Use Limited District Permit issued by the City Council the ______ day of __________________, 20___ to Salem Congregation.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District Permit pursuant to the Zoning Ordinance of the Unified Development Ordinances for a development to be located on the property described in section one above. Said Special Use Limited District Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.
The City Council of the City of Winston-Salem issues a Special Use Limited District Permit for the zoning petition of Salem Congregation, (Zoning Docket W-3559). The site shall be developed in accordance with the conditions approved by the Board and the following uses: GB-L (Building Contractors, General; Car Wash; Cemetery; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Institutional Museum or Art Gallery; Parking, Commercial; Storage Services, Retail-Internal Access; and Services, A), approved by the Winston-Salem City Council the _____ day of ____________________, 20___" and signed, provided the property is developed in accordance with requirements of the GB-L zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **OTHER REQUIREMENTS:**
  a. Freestanding signage for each parcel shall be limited to one sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.
  b. Access to the site shall only be provided from City Yard Lane.
  c. The use Car Wash shall be further limited to a car detailing service operating entirely within an enclosed building.
## PETITION INFORMATION

<table>
<thead>
<tr>
<th><strong>Docket</strong></th>
<th>W-3559</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff</strong></td>
<td>Amy McBride</td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
<td>Salem Congregation</td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
<td>Same</td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
<td>PINs 6835-43-6300, 6835-43-6213, and 6835-43-6156</td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>605 East Salem Avenue, 615 East Salem Avenue, and 590 City Yard Lane</td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
<td>Special Use Limited Rezoning</td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting to amend the Official Zoning Map for the subject property from C (Campus) to GB-L (General Business - Special Use Limited). The petitioner is requesting the following uses:

- Building Contractors, General; Car Wash; Cemetery; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Institutional Museum or Art Gallery; Parking, Commercial; Storage Services, Retail-Internal Access; and Services, A

**Neighborhood Contact/Meeting**

Neighborhood outreach is not required.

**Zoning District Purpose Statement**

The GB District is primarily intended to accommodate a wide range of retail, service, office, and high-density residential uses located along thoroughfares in areas which have developed with minimal front setbacks. The district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2 and 3 and Metro Activity Centers.

**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 site is surrounded by a mixture of industrial and institutional land uses. The site is located in GMA 2 and fronts along two minor thoroughfares.

## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th><strong>Location</strong></th>
<th>Northeast corner of East Salem Avenue and City Yard Drive</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Jurisdiction</strong></td>
<td>Winston-Salem</td>
</tr>
<tr>
<td><strong>Ward(s)</strong></td>
<td>East</td>
</tr>
<tr>
<td><strong>Ward(s) July 2023</strong></td>
<td>East</td>
</tr>
<tr>
<td><strong>Site Acreage</strong></td>
<td>± 0.90 acre</td>
</tr>
</tbody>
</table>
Current Land Use: The subject property includes a vacant parcel, a single-family residential structure, and a maintenance building for Salem College.

<table>
<thead>
<tr>
<th>Surrounded Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>IP</td>
<td>Single-family Residential</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>LI</td>
<td>Vacant/Winston-Salem City Yard</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>IP</td>
<td>Winston-Salem City Yard</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>C</td>
<td>College/ University</td>
<td></td>
</tr>
</tbody>
</table>

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?

The requested uses are generally compatible with existing permitted uses in the vicinity. The use Car Wash will be further limited to car detailing services within an enclosed building which will minimize potential outdoor commercial activity on-site.

The areas north and west of the site primarily consist of educational uses, as well as residential properties. The area east and south of the subject property contains the City of Winston Salem’s Fleet and Property Maintenance facilities.

Physical Characteristics: The site is partially wooded and has a gentle to moderate slope upward from City Yard Lane toward the north.

Proximity to Water and Sewer: The site has access to public water and sewer from East Salem Avenue.

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 water supply watershed.

Analysis of General Site Information: The site currently contains a single-family residence and maintenance building for Salem College. The areas to the north and east are zoned IP and LI, with campus and City facilities. The surrounding areas to the west and south are zoned C and LI, with the majority of the property containing facilities for Salem College and the City.

### 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>
<tr>
<td>W-3476</td>
<td>C to IP</td>
<td>Approved 8/2/2021</td>
<td>North of subject site</td>
<td>3.95</td>
<td>Approval</td>
</tr>
<tr>
<td>W-3292</td>
<td>RSQ, LI and GI to C</td>
<td>Approved 5/2/2016</td>
<td>East of subject site, across City Yard Lane</td>
<td>2.29</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2963</td>
<td>RSQ and GI to CI</td>
<td>Approved 12/3/2007</td>
<td>North of subject site, across Rams Drive</td>
<td>34.13</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2791</td>
<td>RSQ to C</td>
<td>Approved 10/3/2005</td>
<td>Subject site and adjoining parcels to the north</td>
<td>2.48</td>
<td>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>East Salem Avenue</td>
<td>Minor Thoroughfare</td>
<td>215 feet</td>
<td>3,200</td>
<td>13,800</td>
</tr>
<tr>
<td>City Yard Drive</td>
<td>Minor Thoroughfare</td>
<td>162 feet</td>
<td>N/A</td>
<td>13,800</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

Primary access to the site is currently provided by a driveway located on East Salem Avenue and to the rear of the property from City Yard Lane. No site plan has been submitted to indicate the location of future access.

**Proposed Road Improvements**

There are no road improvements proposed in conjunction with this request.

**Trip Generation - Existing/Proposed**

As this is a Special Use Limited request, trip generation information is unavailable.

**Sidewalks**

There are existing sidewalks along City Yard Drive and continuing along East Salem Avenue.

**Transit**

WSTA Route 100 serves East Salem Avenue, with the closest stop located at East Salem Avenue and Rams Drive, approximately 500 feet to the north.

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy 2030 Growth Management Area**

Growth Management Area 2 - Urban Neighborhoods

**Relevant Legacy 2030 Recommendations**

- Encourage reuse of vacant and underutilized commercial and industrial sites.
- Encourage convenient services at designated areas to support neighborhoods consistent with the Growth Management Plan.

**Relevant Area Plan(s)**

*South Central Winston-Salem Area Plan Update (2015)*
| **Area Plan Recommendations** | • The area plan proposed land use map recommends institutional development at this location.  
• Neighborhoods should be protected from inappropriate residential, commercial, industrial and institutional encroachment. |
| **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 a two-lane cross-section with curb and gutter, bike lanes and sidewalks for this section of East Salem Avenue.  
The plan recommends a two-lane cross-section with a wide raised median, curb and gutter, bike lanes and sidewalks for this section of City Yard Drive. |
| **Greenway Plan Information** | The Salem Creek Greenway may be accessed via the sidewalk on the east side of Salem Avenue, south of the site. |
| **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*?**  
No. |
| **Analysis of Conformity to Plans and Planning Issues** | The request proposes a rezoning of an approximately 0.90-acre site from C to GB-L. The *South Central Winston-Salem Area Plan Update* recommends institutional development for this site in recognition of the existing on-site accessory uses for Salem College. The Area Plan recommends a mixture of uses for the areas to the east and north of the site. The site is adjacent to Innovation Quarter and could ultimately become an extension of that development.  
The requested uses are generally low-intensity land uses. The petitioner has volunteered a condition related to the Car Wash use that would further limit any outdoor commercial activity on the property.  
The request is consistent with the goals of *Legacy 2030* in that it provides additional use flexibility and adaptive reuse of a site that has historically been used for commercial and industrial activity. Staff is supportive of this rezoning request. |
## 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 site has access to water and sewer along with good road access and is suitable for a variety of uses.</td>
<td>The Area Plan recommends institutional development at this location.</td>
</tr>
<tr>
<td>The proposed uses and conditions would minimize potential impacts on surrounding properties.</td>
<td></td>
</tr>
<tr>
<td>The proposed district and uses are generally consistent with the Area Plan recommendation for adjacent properties supporting a mixture of uses on-site.</td>
<td></td>
</tr>
</tbody>
</table>

## SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:

- **OTHER REQUIREMENTS:**
  - a. Freestanding signage for each parcel shall be limited to one sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.
  - b. Access to the site shall only be provided from City Yard Lane.
  - c. The use Car Wash shall be further limited to a car detailing service operating entirely within an enclosed building.

## 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.

Mr. Bryan asked what are the City’s intentions and long-term vision for City Yard. Chris Murphy responded that City Yard could be redeveloped to be part of Innovation Quarter, but the yard would be expensive to relocate.

Jack Steelman stated that moving City Yard has been discussed for many years. Complications exist not only regarding the acquisition of an affordable and suitable site for a new City Yard, related to travel costs for all the vehicles that need to go from point A to point B throughout the day.

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

MOTION: Clarence Lambe recommended approval of the ordinance amendment with the new conditions.
SECOND: Jason Grubbs
VOTE:
FOR: George Bryan, Walter Farabee, Jason Grubbs, 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
Property included in zoning request.
500' mail notification radius. Property not in zoning request.

MAP(S):

DOCKET #: W-3559

PROPOSED ZONING:
GB-L

EXISTING ZONING:
C

PETITIONER:
Salem Congregation

SCALE: 1" represents 300'

STAFF: McBride

GMA: 2

ACRES: 0.90

NEAREST BLDG: 16' north

MAP(S): 6835.03
USES ALLOWED IN THE C ZONING DISTRICT
City of Winston-Salem Jurisdiction Only

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

Academic Biomedical Research Facility
Academic Medical Center
Child Care, Drop-In
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
College or University
Family Group Home A
Family Group Home B
Family Group Home C
Fraternity or Sorority
Habilitation Facility A
Habilitation Facility B
Habilitation Facility C
Hospice and Palliative Care
Hospital or Health Center
Life Care Community
Museum or Art Gallery
Nursing Care Institution
Police or Fire Station
School, Private
School, Public
School, Vocational or Professional
Special Events Center
Stadium, Coliseum, or Exhibition Building
Transmission Tower
Urban Agriculture

USES ALLOWED WITH REVIEW BY
THE PLANNING BOARD (P)

Child Care Institution
Child Day Care Center

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

Landfill, Land Clearing/Inert Debris

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

Access Easement, Private Off-Site

SUP not required if standards of Section 5.2.2A are met
USES ALLOWED UNDER PROPOSED “SERVICES, A”

SERVICES, A. An establishment primarily engaged in providing a service(s) to business and individuals. All merchandise and rental equipment is stored inside enclosed buildings. Services A includes the following list of uses (including SIC groups and all subcategories not elsewhere listed):

- 7212 Garment Pressing and Agents for Laundries and Drycleaners
- 7215 Coin-Operated Laundries and Cleaning
- 7216 Drycleaning Plants, Except Rug
- 7217 Carpet and Upholstery Cleaning
- 722 Photographic Studios, Portrait
- 723 Beauty Shops
- 724 Barber Shops
- 725 Shoe Repair and Shoeshine Parlors
- 729 Miscellaneous Personal Services
- 733 Mailing, Reproduction, Commercial Art and Photography
- 735 Equipment Rental and Leasing (only with inside storage of equipment)
- 737 Computer Programming, Data Processing and other Computer Related Services (Except Computer Programming, 7371; Prepackaged Software, 7372; and, Computer System Design, 7373)
- 738 Miscellaneous Business Services
- 762 Electrical Repair Shops
- 763 Watch, Clock, and Jewelry Repair
- 764 Reupholstery and Furniture Repair
- 7699 Uses from SIC 7699 primarily engaged in providing repair and other services to business and individuals, that by the nature of their operation have little impact on adjoining property due to noise, odor, vibration, and/or air or water pollution. All repair items and supplies are stored in enclosed buildings. These uses include repair of small or precision equipment, such as medical, dental laboratory or drafting equipment, and the repair of personal use property such as cameras, musical instruments, and bicycles, and other services, including locksmiths and custom picture framing.
3. I acknowledge that this written consent is a condition precedent to placement of the Property into a special use district.

Building

q. The use Car Wash shall be further limited to a car detailing service enclosed entirely within a building.

b. Access to the site shall only be provided from City Yard Lane.

c. Six (6) feet and a maximum area of thirty-six (36) square feet. Freestanding signages for each parcel shall be limited to one sign with a maximum height of 10 feet.

OTHER REQUIREMENTS:

160D-703

2. I hereby consent to the following conditions as required by North Carolina General Statute 683A-24: 683A-24.1 and 683A-24.6156

Parcel Identification Numbers): 683A-43-6304

Zone Case No.: W-3559

Pursuant to 160D-703

Written Consent to Conditions
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

David Beeghly

STATE OF NORTH CAROLINA
COUNTY OF Forsyth

Date: January 11, 2023

Anna Patterson
Commission Expires: May 15, 2027
Printed Name: Anna Patterson

Stamp: FORSYTH COUNTY NOTARY PUBLIC