ACTION REQUEST FORM

DATE: July 26, 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 Church of God Trustees

SUMMARY OF INFORMATION:

Public hearing and consideration of zoning petition of Church of God Trustees from RS9 to IP; property is located on the north side of Kernersville Road, east of Wintergreen Road and west of Martindale Road (Zoning Docket W-3583)

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED
CITY ORDINANCE - GENERAL USE

Zoning Petition of Church of God Trustees, Docket W-3583

AN ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM, N.C.

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 RS9 to IP the zoning classification of the following described property:

PIN 6855-30-7180

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

PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket</th>
<th>W-3583</th>
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</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Marc Allred</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Church of God Trustees</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN 6855-30-7180</td>
</tr>
<tr>
<td>Address</td>
<td>3263 Kernersville Road</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General Use Rezoning</td>
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Proposal
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 & 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 directly accesses a major throughfare.

GENERAL SITE INFORMATION

Location
The north side of Kernersville Road, east of Wintergreen Road and west of Martindale Road.

Jurisdiction
City of Winston Salem

Ward(s)
East

Site Acreage
± 4.00 acres

Current Land Use
Church or Religious Institution, Neighborhood

Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
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<tbody>
<tr>
<td>North</td>
<td>RS9</td>
<td>Vacant property</td>
</tr>
<tr>
<td>East</td>
<td>RS9</td>
<td>Single-family home</td>
</tr>
<tr>
<td>South</td>
<td>IP</td>
<td>Church</td>
</tr>
<tr>
<td>West</td>
<td>RS9 and IP</td>
<td>Single-family home and public school</td>
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</tbody>
</table>
**Rezoning Consideration from Section 3.2.19 A 16**

<table>
<thead>
<tr>
<th><strong>Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</strong></th>
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<tbody>
<tr>
<td>Yes, the proposed institutional uses are compatible with the mixture of uses permitted on adjacent properties.</td>
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</table>

**Physical Characteristics**
The site is currently developed with a church, parking lot, two playgrounds, and an accessory building. There is a gentle downward slope towards the northern property line.

**Proximity to Water and Sewer**
The site has access to public water from Kernersville Road and sewer from a sewer easement on the western portion of the property.

**Stormwater/Drainage**
Staff is not aware of any existing stormwater issues at this location.

**Watershed and Overlay Districts**
The site is in the Salem Lake watershed.

**Analysis of General Site Information**
The subject property is currently developed with a neighborhood-scale church. The site does not contain any steep slopes or other topographic changes. The site is within the Salem Lake Watershed. Any future redevelopment or proposed building expansion on the property would be required to meet UDO environmental protection provisions.

<table>
<thead>
<tr>
<th><strong>RELEVANT ZONING HISTORIES</strong></th>
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<tbody>
<tr>
<td><strong>Case</strong></td>
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<tr>
<td>W-3273</td>
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<table>
<thead>
<tr>
<th><strong>SITE ACCESS AND TRANSPORTATION INFORMATION</strong></th>
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<tbody>
<tr>
<td><strong>Street Name</strong></td>
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<tr>
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<tr>
<td>Kernersville Road</td>
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**Proposed Access Point(s)**
Because this is a General Use request without a site plan, proposed access points are unknown. The current access points to this site are from Kernersville Road.

**Trip Generation - Existing/Proposed**

Existing Zoning: RS9 Church or Religious Institution, Neighborhood
5,060 sf building/1000 x 9.11 (Church trip rate) = 47 trips per day

Proposed Zoning: IP
Staff is unable to estimate trip generation for the proposed zoning request as it is a General Use request without a site plan.

**Sidewalks**
There are no existing sidewalks along public road frontage in the general area. However, WSDOT does recommend this section of Kenersville Road for future sidewalks.

**Transit**
The church is approximately 0.5 miles away from the Southeast Plaza Shopping Center Food, where WSTA bus routes 101 and 105 make
stops. There are no sidewalk connections between the subject property and the bus stop.

<table>
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<tr>
<th>Analysis of Site Access and Transportation Information</th>
<th>Ample vehicular capacity exists along this section of Kernersville Road. Staff does not foresee any transportation-related issues associated with this request.</th>
</tr>
</thead>
</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)**

*Southeast Suburban Area Plan Update (2016)*

**Area Plan Recommendations**

- The area plan’s proposed land use map recommends institutional uses for this site.
- 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 located along the Kernersville Road Urban/Suburban 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 upgrading this section of Kernersville Road to modern infrastructure design standards. This could include improvements to travel lanes, shoulders, turn lanes at intersections, realignments, sidewalks, and/or complete street accommodations as appropriate.

**Addressing**

The site address will remain 3263 Kernersville Road.

**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 approximately 4.0 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 the current residential zoning.
The Southeast Suburban Area Plan Update (2016) 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>
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<tr>
<td>The request is consistent with the recommendations of the Southeast 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>
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<tr>
<td>There are no anticipated traffic impacts associated with this request.</td>
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<tr>
<td>The proposed district is compatible with the existing institutional use on site and the surrounding land use pattern.</td>
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**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-3583
JULY 13, 2023

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: Jason Grubbs
VOTE:
    FOR: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Lindsey Schwab, Brenda Smith
    AGAINST: None
    EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.
SECOND: Jason Grubbs
VOTE:
    FOR: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Lindsey Schwab, Brenda Smith
    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-3583
PROPOSED ZONING: IP
EXISTING ZONING: RS9
PETITIONER: Church of God Trustees

SCALE: 1" represents 300'
STAFF: Allred
GMA: 3
ACRES: 4.00
NEAREST BLDG: 2' southwest
MAP(S): 6855.03; 6854.01
Southeast Suburban Area Plan Update, 2016
(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)
- Urban Residential Infill
- Intermediate-Density Residential (8.1-18 DU/Ac)
- High-Density Residential (over 18 DU/Ac)
- Office
- Office/Low-Intensity Commercial
- Commercial
- Institutional
- Park
- Commercial Recreation
- Utilities

Proposed Growth Corridor:
- Urban/Suburban Form - Single-Family Residential
- Suburban Form - Commercial/Office/Multifamily
USES ALLOWED IN THE PROPOSED IP ZONING DISTRICT
City of Winston-Salem Jurisdiction Only

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)
Urban Agriculture
Utilities

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
Animal Shelter, Public

SUP not required if standards of Section 5.2.2A are met

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 IN THE EXISTING RS9 ZONING DISTRICT
City of Winston-Salem Jurisdiction Only

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

Adult Day Care Home
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

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
Urban Agriculture

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

Access Easement, Private Off-Site
Parking, Off-Site, for Multifamily or Institutional Uses
Transmission Tower

5SUP not required if standards of Section 5.2.2A are met
Hi, we had spoken earlier on the phone about our community outreach and I will summarize as follows.

On 6-14-23 we went door to door in our neighborhood to all the properties within a 500 foot radius passing out fliers. They invited everyone to a community meeting at the church set for 6-21-23 at 6:00pm. If anyone was at home we spoke with them directly and if not a flier was placed in mailboxes if one was available and attached to the front door if not. Everyone we spoke with was in favor of the church's rezoning efforts. The main question was, what was the reason for the rezoning and we informed them it was for the installation of a lighted sign. We invited our local council person, Mrs. Scippio, to our community meeting as well.

If any additional information is needed please let me know.

Thanks, Micah