Dear Petitioner:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

Chris Murphy, AICP
Acting Director of Planning and Development Services

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102
DATE: August 22, 2018
TO: The Honorable Mayor and City Council
FROM: Chris Murphy, AICP, Acting Director of Planning and Development Services

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Petition of New Story Church

SUMMARY OF INFORMATION:

A. Public hearing on zoning petition of New Story Church from RS9 and RM12-S to LO-L (Church or Religious Institution, Neighborhood; Offices; Group Care Facility, A; and Residential Building, Single Family) (Zoning Docket W-3377)

B. Ordinance amending the Unified Development Ordinances of Winston-Salem/Forsyth County and the Official Zoning Map

C. Approval of Special Use Limited District Permit

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
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 and RM12-S to LO-L (Church or Religious Institution, Neighborhood; Offices; Group Care Facility, A; and Residential Building, Single Family) the zoning classification of the following described property:

PIN #s 6834-96-9104, 6844-06-0014, 6844-06-0134 and 6844-06-0242

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 New Story Church.

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 New Story Church, (Zoning Docket W-3377). The site shall be developed in accordance with the conditions approved by the Board and the following uses: (Church or Religious Institution, Neighborhood; Offices; Group Care Facility, A; and Residential Building, Single Family), approved by the Winston-Salem City Council the ______ day of _____________________, 20____ " and signed, provided the property is developed in accordance with requirements of the LO-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. Electronic message board signs on the property shall be prohibited along the Nissen Avenue frontage.
## PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3377</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Amy Crum</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>New Story Church</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN # 6834-96-9104, 6844-06-0014, 6844-06-0134 and 6844-06-0242</td>
</tr>
<tr>
<td>Address</td>
<td>1024 Waughtown Street, 2200 Nissen Avenue, 2204 Nissen Avenue, and 2208 Nissen Avenue</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Rezoning from RS9 and RM12-S to LO-L</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from Residential Multifamily – Special Use (RM12-S) and Residential Single-Family (RS9) to Limited Office – Limited Use (LO-L). The petitioner is requesting the following uses: • Church or Religious Institution, Neighborhood; Offices; Group Care Facility, A; and Residential Building, Single Family</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.

| Neighborhood Contact/Meeting | The following description was received on August 1, 2018 from the petitioner through email: “On Monday July 31 we held our community meeting as required. There were 43 people in attendance at the meeting. We went over the rezoning request as set forth in our application. A full explanation was given and we opened the floor to any questions. We asked all in attendance if they had any objection to our seeking the rezoning and there were no objections. All present expressed favor for the rezoning. We advertised the meeting for a week prior with signs in front of the property.” |

| Zoning District Purpose Statement | The LO District is primarily intended to accommodate moderately intense medical, professional, administrative, and government office uses on small to mid-sized sites, in a suburban setting. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so this district may serve as a transition between residential districts and commercial districts. This district is intended for application in GMAs 2 and 3. |

| 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 relatively small site located along Waughtown Street, a major thoroughfare, and adjacent to residential properties. Furthermore, it will serve as a transition between the commercial properties to the |
north and west and residential properties to the east and south.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Along the south side of Waughtown Street at the intersection with Nissen Avenue and along the west side of Nissen Avenue.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Southeast</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>±1.59</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Church and single-family residential</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 and HB</td>
<td>Single-family residential and commercial businesses</td>
</tr>
<tr>
<td>East</td>
<td>RSQ and RS9</td>
<td>Multifamily and single-family residential</td>
</tr>
<tr>
<td>South</td>
<td>RS9</td>
<td>Single-family residential</td>
</tr>
<tr>
<td>West</td>
<td>HB</td>
<td>Grocery store</td>
</tr>
</tbody>
</table>

**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 site is surrounded by commercial uses to the north and west and residential uses to the east and south. The limited office zoning will act as a transition between to two use categories.

**Physical Characteristics**

The site is relatively flat with three of the four properties developed. A church is located at 102 Waughtown Street and single-family residential structures are located at 2200 and 2208 Nissen Avenue. 2204 Nissen Avenue is vacant.

**Proximity to Water and Sewer**

The site is serviced by public water and sewer.

**Stormwater/Drainage**

There are no known stormwater or drainage issues.

**Watershed and Overlay Districts**

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

**Historic, Natural Heritage and/or Farmland Inventories**

This site is not located in a locally-zoned historic district and has not received local historic designation. The site is located in the Waughtown-Belview National Register Historic District.

**Analysis of General Site Information**

The site contains four individual properties with three of the four developed. It is surrounded by commercial uses to the north and west and residential uses to the east and south. The site is located in the Waughtown-Belview National Register Historic District.

### 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>W2214</td>
<td>Special Use Rezoning</td>
<td>Approval 04/6/1998</td>
<td>Site</td>
<td>1.59</td>
<td>Approval</td>
</tr>
</tbody>
</table>
from RS9 and RM12-S to RM12-S

<table>
<thead>
<tr>
<th>W1820</th>
<th>Special Use Rezoning from R4 and R2-S to R1-S</th>
<th>Approval 05/03/1993</th>
<th>Site</th>
<th>.86</th>
<th>Approval</th>
<th>Approval</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>SITE ACCESS AND TRANSPORTATION INFORMATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Name</strong></td>
</tr>
<tr>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Waughtown Street</td>
</tr>
<tr>
<td>Nissen Avenue</td>
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</tbody>
</table>

**Proposed Access Point(s)**
Two access points currently exist for the property: one on Waughtown Street and one on Nissen Avenue. As a site plan was not submitted as part of the request, staff is unable to provide information on any proposed changes to access.

**Planned Road Improvements**
The *Comprehensive Transportation Plan* (2012) recommends a widening of Waughtown Street to allow for a cross-section that includes designated bike lanes and on-street parking on both sides.

**Trip Generation - Existing/Proposed**
Staff is unable to provide an existing trip generation calculation as a standard trip generation number does not exist for the use Group Care Facility A. Staff does not anticipate a significant change in traffic with the rezoning request.

**Sidewalks**
Sidewalks currently exist along the both sides of Waughtown Street.

**Transit**
Transit routes 86 and 108 have a stop at the intersection of Martin Luther King Jr. Drive and Waughtown Street. Route 101 has a stop at Food Lion adjacent to the site.

**Analysis of Site Access and Transportation Information**
The site currently has two access drives: one from Waughtown Street and one from Nissen Avenue. Sidewalks exist on both sides of Waughtown Street, as do bicycle shared-line markings. Furthermore, three transit routes service the area with stops within the vicinity of the project site.

<table>
<thead>
<tr>
<th><strong>CONFORMITY TO PLANS AND PLANNING ISSUES</strong></th>
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<tbody>
<tr>
<td><strong>Legacy 2030 Growth Management Area</strong></td>
</tr>
</tbody>
</table>

**Relevant Legacy 2030 Recommendations**
- Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area (p.141).
- Encourage convenient services at designated areas to support neighborhoods consistent with the Growth Management Plan (p. 54).

**Relevant Area**
*Southeast Winston-Salem Area Plan Update (2013)*
### Plan(s)

| Area Plan Recommendations | The Proposed Land Use Map shows the subject property as an existing institutional land use (page 27).

Institutional uses in the plan area are an important aspect of its character, vitality, and future. Existing institutions should be permitted to grow and expand in a manner that is compatible with surrounding neighborhoods. This plan makes the following general recommendations:

- Retain older single-family structures adjacent to institutional uses.
- Maintain neighborhood character by buffering lots with street yards when converting parcels to parking lots for institutional uses in residential districts.
- Encourage institutions owning single-family homes adjacent to their properties to maintain these structures in good condition (p. 27).

| Site Located Along Growth Corridor? | Waughtown Street – Urban/Suburban Form-Residential (not developed through an area plan)

| Site Located within Activity Center? | The site is located at the edge of the Waughtown/Thomasville Activity Center.

| Greenway Plan Information | A greenway is not proposed in this area.

| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | (R)(3) - Have changing conditions substantially affected the area in the petition?  
No.

(R)(4) - Is the requested action in conformance with Legacy 2030?  
Yes.

| Analysis of Conformity to Plans and Planning Issues | The site is currently developed with a church and two single-family homes. The majority of the site is zoned Residential Multifamily – Special Use (RM12-S) with a small section of 2208 Nissen Avenue zoned Residential Single-family (RS9). With the 1998 rezoning case W2214, the site was zoned to RM12-S and the uses were limited to only Group Care facility A. Prior to the 1998, uses allowed on the site included Churches or Temples; Schools: Vocational or Professional; Offices; and Rooming Houses based on the 1993 rezoning case W1820. With the current rezoning request, the Church and Office uses approved with the 1993 rezoning would be restored to the site along with the use Residential Building, Single-family.

The site meets the intent of the LO zoning classification as it will provide a transition between the commercial uses to the north and west and the residential property to the east and west. Furthermore, the rezoning would allow New Story Church to continue use of the existing church building and single-family homes on the site. Allowing the
church to grow and expand its ministry in a manner that is compatible with surrounding neighborhoods and maintains the existing character of the area per the recommendations of the Southeast Winston-Salem Area Plan Update. Therefore, staff is supportive of this request.

<table>
<thead>
<tr>
<th>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</th>
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<tbody>
<tr>
<td>Positive Aspects of Proposal</td>
</tr>
<tr>
<td>The site is currently developed with a church.</td>
</tr>
<tr>
<td>The request is in accordance with the recommendations of Legacy 2030 and the Southeast Winston-Salem Area Plan Update.</td>
</tr>
<tr>
<td>The request would restore uses that were previously approved for the site.</td>
</tr>
</tbody>
</table>

**SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **OTHER REQUIREMENTS:**
  a. Electronic message board signs on the property shall be prohibited along the Nissen Avenue frontage.

**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.
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, Tommy Hicks, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith
  AGAINST: None
  EXCUSED: None

Chris Murphy, AICP
Acting Director of Planning and Development Services
DOCKET #: W3377

PROPOSED ZONING:
LO-L

EXISTING ZONING:
RM12-S and RS9

PETITIONER:
New Story Church

MAP(S): 6834.02, 6844.01

SCALE: 1" represents 300'

STAFF: Crum

GMA: 2

ACRES: 1.59

NEAREST BLDG: 5' south
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
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\(^5\)
Parking, Off-Site, for Multifamily or Institutional Uses
Transmission Tower

\(^5\text{SUP not required if requirements of Section B.2.5.2(A) are met}\)