January 20, 2016

Cleveland Avenue Christian Church
939 Cleveland Avenue
Winston-Salem, NC 27105

Re: Zoning Petition W-3285

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,

A. Paul Norby, FAICP
Director of Planning and Development Services

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102
**ACTION REQUEST FORM**

<table>
<thead>
<tr>
<th>DATE:</th>
<th>January 20, 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM:</td>
<td>A. Paul Norby, FAICP, Director of Planning and Development Services</td>
</tr>
</tbody>
</table>

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning petition of Cleveland Avenue Christian Church

**SUMMARY OF INFORMATION:**

Zoning petition of Cleveland Avenue Christian Church from IP to LO: property is located on the south side of Tenth Street between Cleveland Avenue and Mount Zion Place (Zoning Docket W-3285).

**PLANNING BOARD ACTION:**

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

Zoning Petition of Cleveland Avenue Christian Church, Docket W-3285

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

PIN #6835-69-5830

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

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3285</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr., AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Cleveland Avenue Christian Church</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #6835-69-5830</td>
</tr>
<tr>
<td>Address</td>
<td>939 Cleveland Avenue</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General use rezoning from IP to LO</td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting to amend the Official Zoning Maps for the subject property **from** IP (Institutional and Public district) **to** LO (Limited Office district).

**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, all uses in the District must be considered.

**Neighborhood Contact/Meeting**

The petitioner has indicated that they will be posting a flyer on the property advising people of the proposed rezoning and making themselves available for any questions.

**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)(I) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

The request is consistent with the LO district purpose statement because the subject property is a modest sized site with frontage on a minor thoroughfare and is close to residential districts.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>South side of Tenth Street between Cleveland Avenue and Mount Zion Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>East</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 1.11 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site is currently used as a Child Day Care Center (Future Leaders).</td>
</tr>
<tr>
<td><strong>Surrounding Property Zoning and Use</strong></td>
<td><strong>Direction</strong></td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td></td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>East</td>
</tr>
<tr>
<td></td>
<td>South</td>
</tr>
<tr>
<td></td>
<td>West</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?

<table>
<thead>
<tr>
<th><strong>Physical Characteristics</strong></th>
<th>The developed site has a gentle slope downward toward the southwest. A few mature trees are located on the site.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Proximity to Water and Sewer</strong></td>
<td>Public water and sewer are available to the site.</td>
</tr>
<tr>
<td><strong>Stormwater/Drainage</strong></td>
<td>No known issues.</td>
</tr>
<tr>
<td><strong>Watershed and Overlay Districts</strong></td>
<td>The site is not located within a water supply watershed.</td>
</tr>
</tbody>
</table>

**Analysis of General Site Information**

The site appears to possess no development constraints such as steep slopes, watersheds, or floodplains.

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th><strong>Street Name</strong></th>
<th><strong>Classification</strong></th>
<th><strong>Frontage</strong></th>
<th><strong>Average Daily Trip Count</strong></th>
<th><strong>Capacity at Level of Service D</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Tenth Street</td>
<td>Local Street</td>
<td>40’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Cleveland Avenue</td>
<td>Minor Thoroughfare</td>
<td>137’</td>
<td>3,700</td>
<td>11,900</td>
</tr>
<tr>
<td>Mount Zion Place</td>
<td>Local Street</td>
<td>238’</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

Because this is a general use request, the exact location of access points is unknown. The site is currently accessed from both Cleveland Avenue and Mount Zion Place.

**Trip Generation - Existing/Proposed**

No trip generation is available for the existing or proposed general use zonings which have no site plan.

**Sidewalks**

Sidewalks are currently located along all three street frontages.

**Transit**

Route 17 runs along Tenth Street.

**Analysis of Site Access and Transportation Information**

The site has good vehicular circulation with a direct connection onto both Cleveland Avenue and Mount Zion Place. The site is also located within an area which has a significant level of both pedestrian traffic and transit service.
## CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th><strong>Legacy 2030 Growth Management Area</strong></th>
<th>Growth Management Area 2 - Urban Neighborhoods</th>
</tr>
</thead>
</table>
| **Relevant Legacy 2030 Recommendations** | - Neighborhood business and community services should be developed close to where people live and work.  
   - Protect and enhance urban schools, parks, institutional uses and other services.  
   - Revitalize or redevelop distressed areas with a mix of housing types and services in well-designed, walkable communities to attract new residents. |
| **Relevant Area Plan(s)** | *East-Northeast Area Plan Update* (2015) |
| **Area Plan Recommendations** | - The area plan recommends mixed use development for the subject property.  
   - Continue creating pedestrian-friendly mixed-use and mixed-income housing that is integrated with the existing neighborhood. |
| **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 a designated activity center. |
| **Other Applicable Plans and Planning Issues** | The Housing Authority of Winston-Salem’s *Cleveland Avenue Initiative Master Plan* (Endorsed by Planning Board resolution on November 11, 2011 see Attachment C and endorsed by Winston-Salem City Council resolution on December 19, 2011 see Attachment D). This plan recommends townhomes on the subject property. |
| **Addressing** | There are no addressing or street naming concerns. |
| **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 request is to rezone the subject property, which now contains a Child Day Care Center, from IP to LO. Earlier in 2015, this site was petitioned for rezoning to LO-S in order to accommodate a Shelter for the Homeless (W-3256). This request was ultimately withdrawn and subsequently UDO 263 removed this use from the LO district.  
   The *East-Northeast Area Plan Update* recommends a mixture of uses for the subject property. The LO district allows for multifamily residential, in addition to the other office and institutionally related uses. Also, as |
summarized above in the Other Applicable Plans and Planning Issues section, in 2010 and 2011, the Housing Authority of Winston-Salem engaged in a master planning process for approximately 130 acres in this area. The result of this community based, planning initiative was the Cleveland Avenue Initiative Master Plan. The goal was to “…create a mixed-income, mixed-use neighborhood by increasing the density toward the Martin Luther King, Jr. Drive, attracting retailers, removing the superblocks by reconnecting the street grid, providing a new boulevard, and creating a pedestrian-friendly environment.” Specifically, this plan recommends townhomes on the subject property, which is a permitted land use in the LO district.

Given the above mentioned recommendations and the surrounding zoning and development patterns, staff sees the proposed LO district as being a reasonable zoning district for this location. Hopefully, the proposed rezoning will facilitate additional new investment which is compatible both with the recommendations of the Cleveland Avenue Initiative Master Plan and with the significant amount of new residential development which has recently taken place in the general area.

<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>W-3256</td>
<td>IP to LO-S</td>
<td>Withdrawn 7-20-15</td>
<td>Current site</td>
<td>1.11</td>
<td>Denial/Approval</td>
</tr>
</tbody>
</table>

### 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 proposed LO district is a reasonable zoning district for the subject property.</td>
<td>The LO district allows for more impervious coverage (75%) than the existing IP district (60%).</td>
</tr>
<tr>
<td>The request may facilitate the reuse of the subject property.</td>
<td></td>
</tr>
<tr>
<td>Request is consistent with the LO district purpose statement.</td>
<td></td>
</tr>
<tr>
<td>The site is adjacent to GO zoned property to the south.</td>
<td></td>
</tr>
<tr>
<td>The LO district allows townhouses which is consistent with the recommendations of the Cleveland Avenue Initiative Master Plan.</td>
<td></td>
</tr>
</tbody>
</table>

**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.**
CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3285
JANUARY 14, 2016

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning petition.
SECOND: Paul Mullican
VOTE:
  FOR: George Bryan, Melynda Dunigan, Arnold King, Clarence Lambe, Darryl Little, Paul Mullican, Brenda Smith, Allan Younger
  AGAINST: None
  EXCUSED: None

____________________________
A. Paul Norby, FAICP
Director of Planning and Development Services
DOCKET #: W3285

PROPOSED ZONING: LO

EXISTING ZONING: IP

PETITIONER: Cleveland Avenue Christian Church

Property included in zoning request
500' mail notification radius. Property not in zoning request

SCALE: 1" represents 300'

STAFF: Roberts

GMA: 2

ACRES: 1.11

NEAREST BLDG: 8' northwest

MAP(S): 6835.02
EXISTING IP USES ALLOWED
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 UDO)
- Urban Agriculture (W)
- 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
Animal Shelter, Public
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Banking and Financial Services
Bed and Breakfast
Church or Religious Institution, Neighborhood
Combined Use
Family Group Home A
Family Group Home B
Funeral Home
Government Offices, Neighborhood Organization, or Post Office
Hospice and Palliative Care
Library, Public
Limited Campus Uses
Museum or Art Gallery
Offices
Park and Shuttle Lot
Police or Fire Station
Recreation Facility, Public
Residential Building, Duplex
Residential Building, Single Family
Residential Building, Twin Home
Swimming Pool, Private
Transmission Tower (see UDO)
Utilities

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care, Sick Children
Child Day Care Center
Group Care Facility A
Planned Residential Development
Residential Building, Multifamily
Residential Building, Townhouse

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Transmission Tower (see UDO)
Veterinary Services

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Kennel, Indoor
RESOLUTION OF THE CITY-COUNTY PLANNING BOARD ENDORSING
THE CLEVELAND AVENUE INITIATIVE MASTER PLAN

WHEREAS, the Legacy Comprehensive Plan was prepared by the City-County Planning Board with the assistance of area residents, business and civic leaders and was adopted in 2001; and

WHEREAS, the City-County Planning Board, with input of area residents, prepared the East/Northeast Area Plan for the purpose of guiding the growth and revitalization of the area and it was adopted in 2008; and

WHEREAS, both aforementioned plans call for an emphasis on walkable, livable communities that are attractive to a variety of households, businesses and institutions; and

WHEREAS, the Housing Authority of Winston-Salem has initiated and completed, with the assistance of many area residents, property owners and other stakeholders a master planning process for the transformation of the Cleveland Avenue community into a vibrant, mixed-income and mixed-use neighborhood that is walkable, accessible and livable; and

WHEREAS, this Master Plan establishes a vision and conceptual design providing overall guidance on community building elements such as housing mix, block and street design, open spaces, commercial opportunities, and interconnectivity; and

WHEREAS, this Master Plan is consistent with the Legacy Comprehensive Plan and the East/Northeast Area Plan and can be used as various phases of the plan are able to be financed and implemented; and

WHEREAS, the Housing Authority has invited area residents and property owners to a final community meeting prior to it being submitted to the Planning Board to explain, review and receive comments on the plan;

NOW, THEREFORE, BE IT RESOLVED by the City-County Planning Board of Forsyth County and Winston-Salem that:

1. The Cleveland Avenue Initiative Master Plan is endorsed as a general guide for use in the future development and revitalization of the area, as funding opportunities arise.
2. The Master Plan be referred to as decisions are made concerning land use, public infrastructure and private investment in the area.
3. The Housing Authority and other stakeholder entities such as property owners, community organizations, businesses, and government agencies are encouraged to collaborate together to implement the phases of this Master Plan.

Adopted this 10th day of November, 2011

Arnold G. King, Chairman

Shelly Stewart, Clerk to the Board
RESOLUTION OF THE WINSTON-SALEM CITY COUNCIL ENDORSING THE CLEVELAND AVENUE INITIATIVE MASTER PLAN

WHEREAS, the Legacy Comprehensive Plan was prepared with the assistance of area residents, business and civic leaders, was recommended by the City-County Planning Board, and was adopted by the City Council in 2001; and

WHEREAS, the City-County Planning Board, with input of area residents, prepared the East/Northeast Area Plan for the purpose of guiding the growth and revitalization of the area and it was adopted in 2008; and

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NOW, THEREFORE, BE IT RESOLVED, by the Winston-Salem City Council that:

W-3285 Attachment 0
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2. The Master Plan be referred to as decisions are made concerning land use, public infrastructure and private investment in the area.

3. The Housing Authority and other stakeholder entities such as property owners, community organizations, businesses, and government agencies are encouraged to collaborate together to implement the phases of this Master Plan.

4. Endorsement of this Master Plan does not obligate the City to fund its implementation.

Adopted this ___ day of December, 2011
Housing Authority of Winston-Salem,
Cleveland Avenue Initiative Master Plan (2011)