CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3268
AUGUST 13, 2015

This was automatically withdrawn per the applicant's request and as per Planning Board's By-Laws.

A. Paul Norby, FAICP
Director of Planning and Development Services
<table>
<thead>
<tr>
<th><strong>PETITION INFORMATION</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Docket #</strong></td>
<td>W-3268</td>
</tr>
<tr>
<td><strong>Staff</strong></td>
<td>Gary Roberts, Jr, AICP</td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
<td>Augsburg Evangelical Lutheran Church</td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
<td>Same</td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
<td>PIN #s 6825-97-1584, 3531, 3621, 4532, and 4622</td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>500 and 502 North Broad Street</td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
<td>Special use rezoning from RSQ HO to IP-S HO</td>
</tr>
</tbody>
</table>
| **Proposal**             | The petitioner is requesting to amend the Official Zoning Maps for the subject property from RSQ (Residential, Single Family Quadraplex – Historic Overlay district) to IP-S HO (Institutional and Public – special use – Historic Overlay zoning). The petitioner is requesting the following uses:  
  - Child Care, Drop-in; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; and School, Private  
  
  **NOTE:** General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. |
| **Continuance History**  | At the request of the petitioner, the request was continued from the July 9, 2015 Planning Board meeting to the August 13 meeting. |
| **Neighborhood Contact/Meeting** | The application does not indicate whether or not a neighborhood meeting has been held. |
| **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. |
| **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 has historically been used for institutional purposes and the site is located adjacent to a residential area. |

<table>
<thead>
<tr>
<th><strong>GENERAL SITE INFORMATION</strong></th>
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</thead>
<tbody>
<tr>
<td><strong>Location</strong></td>
<td>West side of Broad Street between Pilot View Street and Sixth Street</td>
</tr>
<tr>
<td><strong>Jurisdiction</strong></td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td><strong>Ward(s)</strong></td>
<td>Northwest</td>
</tr>
<tr>
<td><strong>Site Acreage</strong></td>
<td>± 1.73 acres</td>
</tr>
</tbody>
</table>
**Current Land Use**
Currently, a nonconforming auto detailing use, a neighborhood scale church, and multiple offices are located on the subject property.

**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>RSQ HO</td>
<td>Single family homes</td>
</tr>
<tr>
<td>East</td>
<td>PB</td>
<td>Douglas Battery</td>
</tr>
<tr>
<td>South</td>
<td>PB HO and HB HO</td>
<td>Augsburg Evangelical Lutheran Church, office, and multifamily residential uses</td>
</tr>
<tr>
<td>West</td>
<td>RSQ HO</td>
<td>Single family homes</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 proposed uses (in conjunction with their existing and proposed locations as shown on the site plan) are compatible with the uses permitted on the other properties on the general area.

**Physical Characteristics**
The developed site has a gentle slope downward to the northwest.

**Proximity to Water and Sewer**
Public water and sewer are available to the site.

**Stormwater/Drainage**
No known issues.

**Watershed and Overlay Districts**
The site is not located within a water supply watershed.

**Historic, Natural Heritage and/or Farmland Inventories**
The site is located within the West End Historic Overlay Zoning District. It is also in the West End National Register Historic District. The larger structure located at 502 North Broad Street, is known as the Friends Meeting House. It was constructed circa 1927 and contributes to the historic character of the West End Historic District. The garage structure is listed as the former Gas Station at 500 Broad Street and was constructed circa 1950. The garage is not a contributing structure in the West End Historic Overlay District.

**Analysis of General Site Information**
Compliance with the national district standards are voluntary while compliance with the local historic overlay district is required. While no significant exterior alterations to the site are proposed, the petitioner is aware of the need to comply with the local overlay district requirements and apply for a Certificate of Appropriateness with the Historic Resources Commission staff for any exterior alterations to said buildings, landscaping, or new fencing on the site.

**SITE ACCESS AND TRANSPORTATION INFORMATION**

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broad Street</td>
<td>Boulevard</td>
<td>200’</td>
<td>13,400</td>
<td>19,500</td>
</tr>
<tr>
<td>Pilot View Street</td>
<td>Local Street</td>
<td>380’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Sixth Street</td>
<td>Local Street</td>
<td>380’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td><strong>Proposed Access Point(s)</strong></td>
<td>The site currently has access onto Sixth Street, Broad Street, and multiple access points onto Pilot View Street.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Trip Generation - Existing/Proposed</strong></td>
<td>The site has good access with frontage on three roads including a boulevard with excess capacity. Staff would anticipate some increase in traffic in association with the proposed use of Child Day Care Center. This would be in connection with dropping off and picking up children and mostly during peak hours.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sidewalks</strong></td>
<td>Sidewalks are located along Broad Street and Sixth Street.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Transit</strong></td>
<td>Routes 16 and 21 run along Broad Street.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Analysis of Site Access and Transportation Information</strong></td>
<td>The site has a continuously paved connection onto Pilot View Street which is approximately 220’ wide. Transportation and Planning staff recommend the narrowing of this connection (by removing some of the asphalt) and installing a streetyard in order to more clearly define the access points and to improve the streetscape along this portion of Pilot View Street. Due to the proposed use of Child Day Care Center, it should be anticipated that there will be an increase in traffic to and from the site.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CONFORMITY TO PLANS AND PLANNING ISSUES**

<table>
<thead>
<tr>
<th><strong>Legacy 2030 GMA</strong></th>
<th>Growth Management Area 2 – Urban Neighborhoods</th>
</tr>
</thead>
</table>
| **Relevant Legacy 2030 Recommendations** | • Transitional Uses: promote the use of moderate density residential and office as transitional uses between intense business and residential uses.  
• Locate and design educational facilities that provide quality education and are assets to neighborhoods.  
• Childcare locations – Locate childcare facilities in or near major new employment centers, wherever possible.  
• Childcare facilities – Encourage the development of a range of childcare facilities. |
| **Relevant Area Plan(s)** | South Central Winston-Salem Area Plan Update (2014) |
| **Area Plan Recommendations** | • The proposed Land Use Map shows Institutional Use for all of the subject property with the exception of the southeastern corner of the site which is recommended for commercial in recognition of the existing nonconforming auto detailing business.  
• Retain historic buildings including residential homes, institutional and commercial structures, agricultural buildings, bridges, etc. when possible.  
• This site is located in the West End National Register Historic District and has historic overlay zoning, and should adhere to standards established in both. |
| **Site Located Along Growth Corridor?** | The site is located along the Broad Street Growth Corridor. |
| **Site Located within Activity Center?** | The site is not located within an activity center. |
Addressing

There are no addressing or street naming concerns at this time.

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 proposed rezoning to IP-S HO is consistent with the historical use of the property for institutional type uses as a church and a community building. The request would also permit the use of Child Day Care Center. Furthermore, the Institutional and Public (IP) district is consistent with the institutional land use recommendation for the subject property in the recently adopted South Central Winston-Salem Area Plan Update.

As noted previously in the Analysis of General Site Information section above, the subject property is located within the West End Historic Overlay District. This district, which overlaid the existing residential and nonresidential districts, was established in 1993. The purpose was to “safeguard the heritage of the community by preserving those areas that embody important elements of the community’s culture, history, architectural history, or prehistory.” Property owners must comply with the Design Review Guidelines and obtain a Certificate of Appropriateness for any alteration to the exterior features of buildings within the district or to any important landscape or natural features. The petitioner is aware of the need to comply with the local overlay district requirements.

The proposed IP district permits Electronic Message Board Signs. Due to the location of the site within the West End Local Historic Overlay District and its proximity to various residential properties, Planning staff recommends a condition which would prohibit the installation of this type of sign.

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>W-2394</td>
<td>RM18 HO to PB HO</td>
<td>Approved 5-1-00</td>
<td>Directly south</td>
<td>.46</td>
<td>Approval</td>
</tr>
<tr>
<td>W-1804</td>
<td>Multiple districts to multiple districts HO</td>
<td>Approved 2-1-1993</td>
<td>Included subject property</td>
<td>229</td>
<td>Approval</td>
</tr>
</tbody>
</table>
## SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building 1: 16,124 total sf in the two story building</td>
<td>16,124 total sf in the two story building + 1,080 sf in the nonconforming auto detailing building = 17,204 sf</td>
<td>Both buildings front on Broad Street</td>
</tr>
<tr>
<td>Parking</td>
<td><strong>Required</strong></td>
<td><strong>Proposed</strong></td>
</tr>
<tr>
<td>93 spaces</td>
<td>93 spaces</td>
<td>90° head-end</td>
</tr>
<tr>
<td>Building Height</td>
<td><strong>Maximum</strong></td>
<td><strong>Proposed</strong></td>
</tr>
<tr>
<td>60’</td>
<td>Two stories</td>
<td></td>
</tr>
<tr>
<td>Impervious Coverage</td>
<td><strong>Maximum</strong></td>
<td><strong>Proposed</strong></td>
</tr>
<tr>
<td>60%</td>
<td>67.98% (see comments below)</td>
<td></td>
</tr>
</tbody>
</table>

**UDO Sections Relevant to Subject Request**
- Chapter B, Article II, Section 2-1.5 (A) Institutional and Public District
- Chapter B, Article IV Historic Overlay District

**Complies with Chapter B, Article VII, Section 7-5.3**
- **(A) Legacy 2030 policies:** Yes
- **(B) Environmental Ord.** NA
- **(C) Subdivision Regulations** NA

**Analysis of Site Plan Compliance with UDO Requirements**
The proposed site plan essentially reflects the existing conditions of this developed site. The proposed changes include the restriping of the parking lot and new fencing around a 5,029 square foot play area which is needed in order to accommodate the proposed Child Day Care Center. The other change to the site would be the recommended installation of the streetyard along Pilot View Street. As noted above, the impervious coverage limit in the proposed IP district is 60%. However, while the existing impervious coverage on the site is 67.98%, no new impervious coverage is proposed and the existing amount will be considered nonconforming if the proposed rezoning is approved.

## 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 <em>South Central Winston-Salem Area Plan Update.</em></td>
<td>The proposed rezoning will result in an increase in traffic.</td>
</tr>
<tr>
<td>IP-S HO zoning is a reasonable request at this location and is consistent with the historical use of the site.</td>
<td></td>
</tr>
<tr>
<td>The proposed use of Child Day Care Center is neighborhood serving.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the purpose statement of the IP district.</td>
<td></td>
</tr>
</tbody>
</table>
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.

- **PRIOR TO ISSUANCE OF ANY PERMITS:**
  a. Developer shall obtain a driveway permit from the City of Winston-Salem.
  b. Developer shall obtain an encroachment and maintenance agreement for the ten (10) foot streetyard to be installed within the right-of-way of Pilot View Street as shown on the site plan.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
  a. Developer shall install a ten (10) foot streetyard within the right-of-way of Pilot View Street as shown on the site plan.
  b. Developer shall complete all requirements of the driveway permit.

- **OTHER REQUIREMENTS:**
  a. No Electronic Message Board Signs shall be permitted on the subject property.

**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-3268
JULY 9, 2015

PUBLIC HEARING regarding continuance request

FOR:  None

AGAINST:  None

WORK SESSION

MOTION:  Paul Mullican moved continuance of the zoning petition to August 13, 2015.
SECOND: Clarence Lambe
VOTE:
   FOR:  Melynda Dunigan, Arnold King, Clarence Lambe, Darryl Little, Paul Mullican,
   Brenda Smith, Allan Younger
   AGAINST: None
   EXCUSED: None

This was automatically withdrawn per the applicant’s request and as per Planning Board’s By-Laws prior to the August 13, 2015 Planning Board meeting.
DOCKET #: W3268
(Continued from 7/9/2015)

PROPOSED ZONING:
IP-S HO

EXISTING ZONING:
RSQ HO

PETITIONER:
Augsburg Evangelical Lutheran Church

SCALE: 1" represents 300'
STAFF: Roberts
GMA: 2
ACRES: 1.73
NEAREST BLDG: 0' west
MAP(S): 6825.02
Proposed land uses shown are generalized.
# INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

**Project Case Number:** W-3268

## PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS

Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. Further, please note that additional information may be forthcoming from Departments that indicate "See Emailed Comments" or other similar phrase. A list of recommended conditions from this Interdepartmental Review will be sent to you via e-mail generally by the end of the business day on Friday the week prior to the Planning Board Public Hearing.

### PROJECT CASE NUMBER: W-3268  PROJECT TITLE: Augsburg Lutheran Church

**DATE:** June 24, 2015

**PROJECT DESCRIPTION:** West side of Broad Street between Pilot View Street and Sixth Street

### NCDOT- Phone # - 336.747.7900 Email: warcher@ncdot.gov

No Comment

### WSDOT- Phone # - 336.747.6872 Email: conniej@cityofws.org

Along Pilot View Street – remove the unused asphalt to the right-of-way line except for identified driveways.

### City Engineer- Phone # - 336.747.6846 Email: albertcg@cityofws.org

1. City driveway permit req’d.
2. Concrete aprons req’d for 2 new drives. Drives to be 20’ wide minimum.
3. Remove all asphalt not in drives from R/W and replace with grass.
4. Remove 2 spaces (of 5) at middle entrance for safety. Leaves 99 spaces.

### Inspections (Zoning)- Phone # - 336.727.2626 or 336.747.7427 Email: donnagb@cityofws.org or desmondc@cityofws.org

- Is driveway one way? Show directional arrows
- 2 loading/unloading spaces are required
- Remove 2 spaces to meet aisle width
- Correct “Offices” in parking calculations to “Government Offices, Neighborhood Organization, or Post Office”; calculations are 1/375
- List number of required spaces
- Which daycare is being proposed? Be sure to clarify this and observe use conditions
- Requires a Type II buffer yard, not Type I
- Under General Notes, add “Winston-Salem” to note 2, to read, “…shall conform to the WS/Forsyth County…”

### Erosion Control - Phone # - 336.747.7453 Email: matthewo@cityofws.org

An Environmental Grading and Erosion Control Permit will be required if more than 10,000 square feet is to be disturbed during any potential construction. An Erosion and Sedimentation Control plan must be submitted and approved before the permit can be issued. Please submit this plan at least 30 days prior to the intended start date of construction.
## INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

Project Case Number: W-3268

### Stormwater Division
- **Phone #**: 336.747.6961
- **Email**: josephf@cityofws.org
- **No comment**

### Fire (City)
- **Phone #**: 336. 734.1290
- **Email**: douglasc@cityofwsfire.org
- **No Comments**

### Utilities
- **Phone #**: 336.747.7309
- **Email**: jackf@cityofws.org
- Any existing water and/or sewer connections will require evaluation for compliance with backflow preventer requirements, connection serviceability, and/or termination at the main. If you prepare food, a Grease Interceptor will be required. All water connections will require a backflow preventer.

### Sanitation
- **Phone #**: 336.748.3080
- **Email**: randallb@cityofws.org
- A bulk container(s) or dumpster is required for this project. Placement of the container(s) should allow for easy access for servicing by a container tender truck. The location of the container must be free of overhanging wires or other obstructions and provide @ least 35 feet of vertical clearance and 40 feet linear clearance in the dumping area. All screens or enclosures should be open on one side and have @ least three feet of clearance on the remaining 3 sides.
- Please consider utilizing a Commercial Recycling Program.

### Planning
- **Phone #**: 336.747.7043/747.7068
- **Email**: aaronk@cityofws.org
- Staff recommends installing a streetyard along the section of Pilot View (will require an encroachment agreement from the City). Contact HRC staff for all exterior changes including the fence and the streetyard prior to commencement. Staff recommends a sign condition that prohibits electronic message board signs; label building at the corner as “Nonconforming Use”; potential for any parking lot trees?

### Street Names/Addresses
- **Phone #**: 336.747.7048
- **Email**: benfs@cityofws.org
- No addressing or street naming concerns at this time.