October 21, 2015

Praise Assembly Christian Center, Inc.
3524 Kernersville Road
Winston-Salem, NC  27107

RE:  Zoning Petition W-3273

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**

**DATE:** October 21, 2015  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning and Development Services

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning petition of Praise Assembly Church Ministries, Inc. for property owned by Praise Assembly Christian Center, Inc.

**SUMMARY OF INFORMATION:**

Zoning petition of Praise Assembly Church Ministries, Inc. for property owned by Praise Assembly Christian Center, Inc. from RS9 to IP; property is located on the south side of Kernersville Road, west of Martindale Road; (Zoning Docket W-3273).

**PLANNING BOARD ACTION:**

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

Zoning Petition of Praise Assembly Church Ministries, Inc. for property owned by Praise Assembly Christian Center, Inc., Docket W-3273

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 # 6854-39-8496

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

<table>
<thead>
<tr>
<th><strong>PETITION INFORMATION</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Docket #</strong></td>
<td>W-3273</td>
</tr>
<tr>
<td><strong>Staff</strong></td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
<td>Praise Assembly Church Ministries, Inc.</td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
<td>Praise Assembly Christian Center, Inc.</td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
<td>PIN # 6854-39-8496</td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>3254 Kernersville Road</td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
<td>General use rezoning from RS9 to IP</td>
</tr>
<tr>
<td><strong>Proposal</strong></td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS9 (Residential, Single Family district - 9,000 sf minimum lot size) to IP (Institutional and Public district).</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. With a general use, all uses in the District must be considered.

| **Neighborhood Contact/Meeting** | The petitioner held a neighborhood meeting on October 5, 2015. See Attachment A for a summary of said meeting. |
| **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. |

<table>
<thead>
<tr>
<th><strong>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</strong></th>
<th>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes, the site is currently used for institutional purposes (a neighborhood scale church) and the site is located adjacent to a residential area.</td>
<td></td>
</tr>
</tbody>
</table>

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th><strong>Location</strong></th>
<th>South side of Kernersville Road, west of Martindale Road</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Jurisdiction</strong></td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td><strong>Ward(s)</strong></td>
<td>East</td>
</tr>
<tr>
<td><strong>Site Acreage</strong></td>
<td>± 10.69 acres</td>
</tr>
<tr>
<td><strong>Current Land Use</strong></td>
<td>Currently, a neighborhood scale church is located on the subject property.</td>
</tr>
<tr>
<td><strong>Surrounding Property Zoning and Use</strong></td>
<td><strong>Direction</strong></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>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity? The uses permitted in the proposed IP district are generally compatible with the low density residential uses permitted on the surrounding RS9 zoned properties.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Physical Characteristics</td>
<td>The southern half of the site is undeveloped and heavily wooded. The topography slopes gently downward to the northwest along Kernersville Road.</td>
</tr>
<tr>
<td>Proximity to Water and Sewer</td>
<td>Public water and sewer are available to the site.</td>
</tr>
<tr>
<td>Stormwater/Drainage</td>
<td>No known issues.</td>
</tr>
<tr>
<td>Watershed and Overlay Districts</td>
<td>The site is not located within a water supply watershed.</td>
</tr>
<tr>
<td>Analysis of General Site Information</td>
<td>The subject property is not located within a water supply watershed or regulatory floodplain and it appears to possess no development constraints.</td>
</tr>
</tbody>
</table>

### 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>Kernersville Road</td>
<td>Major Thoroughfare</td>
<td>448'</td>
<td>7,800</td>
<td>13,800</td>
</tr>
<tr>
<td>Crumpler Street</td>
<td>Local Street</td>
<td>682'</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Proposed Access Point(s)</td>
<td>Because this is a general use rezoning request with no site plan, the exact location of access points is unknown. The site does have access on Kernersville Road.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planned Road Improvements</td>
<td>The <em>Comprehensive Transportation Plan</em> recommends a three-lane cross section for Kernersville Road with wide outside lanes, curb and gutter, and sidewalks.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trip Generation - Existing/Proposed</td>
<td>Existing Zoning RS9: 14,300 sf / 1,000 x 9.11 (Church Trip Rate) = 130 Trips per Day. The proposed zoning to IP should have no significant impact on the estimated trip generation.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalks</td>
<td>There are no sidewalks located in the general area.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transit</td>
<td>Route 29 runs along Kernersville Road.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Analysis of Site Access and Transportation Information</td>
<td>The site has good access with frontage on a major thoroughfare which is served with transit. Staff does not anticipate any transportation related issues with the subject request.</td>
<td></td>
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</tbody>
</table>

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy 2030 GMA** Growth Management Area 2 - Urban Neighborhoods

**Relevant Legacy 2030 Recommendations**
- Concentrate development within the serviceable land area of Forsyth County with the highest intensities at city/town center, activity centers and along growth corridors.
- Identify growth corridors for quality infill, density and transit.
- Encourage commercial and office use (along with residential and institutional uses) in activity centers and in carefully planned growth.
<table>
<thead>
<tr>
<th>Relevant Area Plan(s)</th>
<th>Southeast Suburban Area Plan (2009)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Plan Recommendations</td>
<td>- The subject property is shown for low-density residential use on Map 7 – Proposed Land Use. However, adjoining properties to the east and to the north, across Kernersville Road, are shown for institutional land use.</td>
</tr>
<tr>
<td>Site Located Along Growth Corridor?</td>
<td>The site is located along the Kernersville Road Growth Corridor.</td>
</tr>
<tr>
<td>Site Located within Activity Center?</td>
<td>The site is not located within an activity center.</td>
</tr>
<tr>
<td>Addressing</td>
<td>There are no addressing or street naming concerns at this time.</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(3) - Have changing conditions substantially affected the area in the petition? Yes, the site was undeveloped at the time the land use survey for the area plan was conducted. (R)(4) - Is the requested action in conformance with Legacy 2030? Yes</td>
</tr>
<tr>
<td>Analysis of Conformity to Plans and Planning Issues</td>
<td>The subject request is to rezone an existing neighborhood scale church (seating capacity of 600 persons or less) located on 10.69 acres, from RS9 to IP. Both the existing RS9 and the proposed IP districts allow neighborhood scale churches as a use by right. The following list of uses are allowed in the proposed IP district but not allowed in the existing RS9 district: - Cemetery - Child Care, Drop-In - Funeral Home - Government Offices, Neighborhood Organization, or Post Office - Habilitation Facility B - Habilitation Facility C - Hospice and Palliative Care - Museum or Art Gallery - Nursing Care Institution - Academic Biomedical Research Facility - Adult Day Care Center - Child Care Institution - Child Care, Sick Children - Child Day Care Center - Club or Lodge - College or University - Family Group Home C - Recreation Services, Indoor - Recreation Services, Outdoor</td>
</tr>
</tbody>
</table>
- Animal Shelter, Public

Additionally, the use of an Electronic Message Board sign is allowed in IP and not in the existing RS9 district.

The proposed IP district is a common zoning classification for institutional uses such as schools and churches. The site is located along a growth corridor and it is adjacent to two other institutional uses. Planning staff recommends approval of the request.

### RELEVANT ZONING HISTORIES

There have been no recent rezonings in the general area.

### 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 is currently used for institutional purposes and it is adjacent to two other institutional uses.</td>
<td>The proposed IP district allows a number of uses not permitted in the present RS9 zoning as well as electronic message board signs.</td>
</tr>
<tr>
<td>The request is consistent with the purpose statement of the IP district.</td>
<td></td>
</tr>
<tr>
<td>The site fronts along Kernersville Road which is a major thoroughfare and a growth corridor.</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-3273
OCTOBER 8, 2015

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
Good afternoon Mr. Roberts,
I trust you are having an awesome day.
The following is a summary of the results our Community Meeting on October 5, 2015 concerning the zoning change request for Praise Assembly Church Ministries.
The meeting was called to order at 6:30 pm by Dr. Johnny L. York, Sr. Pastor of Praise Assembly Church Ministries. It was followed prayer by Pastor York followed by a statement to thank and welcome the neighbors for coming.
Neighbors in attendance were:
John T. Morgan
2210 Victoria Village Lane
Winston Salem, NC

Mike & Nicol Parsons
1610 Beaufort Ct.
Kernersville, NC
2222 Victoria Village Lane
Winston Salem, NC

William B. McIver II
144 Martaindale Dr.
Winston Salem, NC

Pastor York began by giving a brief historical account of Praise Assembly Church, beginning with the year of inception in 1991, until the present. Pastor York then explained the reason for the zoning change request regarding the property owned by the church on Kernersville Road from RS9 to IP.
1). The church submitted a request to change the current church sign to a digital church sign. During construction in 2009 when the initial request was made, there existed a sign ordinance not allowing digital signage for churches. The request was re-visited and resubmitted as a result of several churches within the city, currently displaying digital signs.
2). The zoning change request is necessary if approval is granted for digital signs. Additionally, as our ministry grows, we have plans to be more community focused by providing additional outreach and in-reach opportunities, with new construction that may necessitate a zoning change. Such opportunities could include a Daycare facility, Christian school, after school Youth programs, etc.
The main concerns voiced by the neighbors was if a zone change was approved, would Praise Assembly Church sell their property to a large commercial chain for commercial development. This was a concern since the church property closely adjoins their residential property. Our answer was, "No". Our church has found a home within the community and our plans both current and long term are to develop our property for ministry and community opportunities. We have already been approached by commercial entities concerning our undeveloped property on Kernersville Road, and we have no interest in such conversations.

In reference to the digital sign request, their question was in reference to the size of the sign. The reply from Praise Assembly Church by our Project Manager, Clement Little, was that any digital sign must comply with the dimensions already approved by and required of the City-County Planning Board and City Council.

Having given these responses to the questions asked by the neighbors, no one voiced any opposition to our zoning change request. They each acknowledged support to the request as they felt comfortable it related to ministry and community work. The final question was regarding the future plans of our remaining undeveloped property. Our answer for all of our property development is for ministry growth and community outreach opportunities.

With no additional questions, Pastor York thanked all that were in attendance, then closing prayer was made by Pastor York and the meeting was adjourned at 7:00 pm.

Thank you,
Dr. Johnny L. York, Sr. Pastor
EXISTING RS9 USES ALLOWED
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
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
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
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