Dear Ms. Gallimore:

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
Doug Stimmel, Stimmel Associates, PA, 601 N. Trade Street, Suite 200, Winston-Salem, NC 27101
ACTION REQUEST FORM

DATE: October 22, 2014  
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 The Salem Academy and College

SUMMARY OF INFORMATION:
Zoning petition of The Salem Academy and College from RSQ to PB-L (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home, Residential Building, Multifamily; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store; Banking and Financial Services; Bed and Breakfast; Funeral Home; Hotel or Motel; Offices; Services A; Services B; Testing and Research Lab; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Adult Day Care Center; Adult Day Care Home; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution; Neighborhood; Club or Lodge; College or University; Government Offices, Neighborhood Organization, or Post Office; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; Park and Shuttle Lot; and Utilities): property is located on the northwest corner of Cemetery Street and Church Street (Zoning Docket W-3244).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL  
FOR: ARNOLD KING, DARRYL LITTLE, PAUL MULLICAN, ALLAN YOUNGER  
AGAINST: MELYNDRA DUNIGAN, BARRY LYONS  
SITE PLAN ACTION: NOT REQUIRED
CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of The Salem Academy and College, Docket W-3244

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 RSQ to PB-L (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store; Banking and Financial Services; Bed and Breakfast; Funeral Home; Hotel or Motel; Offices; Services A; Services B; Testing and Research Lab; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Adult Day Care Center; Adult Day Care Home; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices, Neighborhood Organization, or Post Office; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; Park and Shuttle Lot; and Utilities) the zoning classification of the following described property:

PIN #s 6835-25-8094, 6835-24-9807, 9928, and 9934
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 The Salem Academy and College.

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 known as The Salem Academy and College. 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.
CITY - SPECIAL USE LIMITED DISTRICT PERMIT

SPECIAL USE LIMITED DISTRICT PERMIT

Issued by the City Council of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use Limited District Permit for the zoning petition of The Salem Academy and College, (Zoning Docket W-3244). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home, Residential Building, Multifamily; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store; Banking and Financial Services; Bed and Breakfast; Funeral Home; Hotel or Motel; Offices; Services A; Services B; Testing and Research Lab; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Adult Day Care Center; Adult Day Care Home; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices, Neighborhood Organization, or Post Office; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; Park and Shuttle Lot; and Utilities, approved by the Winston-Salem City Council the ____ day of _________________, 20____" and signed, provided the property is developed in accordance with requirements of the PB-L zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, and other applicable laws. No additional conditions are recommended.
### CITY-COUNTY PLANNING BOARD
### STAFF REPORT

#### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3244</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>The Salem Academy and College</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #s 6835-25-8094, 6835-24-9807, 9928, and 9934</td>
</tr>
<tr>
<td>Address</td>
<td>222 South Church Street</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special use limited rezoning from RSQ to PB-L</td>
</tr>
</tbody>
</table>
| Proposal   | The petitioner is requesting to amend the Official Zoning Maps for the subject property from RSQ (Residential, Single Family Quadruplex district to PB-L (Pedestrian Business – special use limited zoning). The petitioner is requesting the following uses:
  - Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home, Residential Building, Multifamily; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store; Banking and Financial Services; Bed and Breakfast; Funeral Home; Hotel or Motel; Offices; Services A; Services B; Testing and Research Lab; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Adult Day Care Center; Adult Day Care Home; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution; Neighborhood; Club or Lodge; College or University; Government Offices, Neighborhood Organization, or Post Office; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; School, Vocational or Professional; Park and Shuttle Lot; and Utilities |

**NOTE:** General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. |

<table>
<thead>
<tr>
<th>Neighborhood Contact/Meeting</th>
<th>The application indicates that no neighborhood meeting has been held.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District Purpose Statement</td>
<td>The PB District is primarily intended to accommodate office, retail, service, institutional and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to</td>
</tr>
</tbody>
</table>
encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in GMAs 1, 2 and 3.

<table>
<thead>
<tr>
<th>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</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 located within a mixed use, pedestrian oriented portion of downtown. The site is also located across the street from other PB zoned properties within GMA 1 (City Center).</td>
<td></td>
</tr>
</tbody>
</table>

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>Northwest corner of Cemetery Street and Church Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>South</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± .67 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>A one story, 1,092 square foot residential building is located on the site along with some paved parking areas.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>North</td>
<td>CB</td>
<td>Wingate Inn across Business 40</td>
</tr>
<tr>
<td></td>
<td>East</td>
<td>RSQ</td>
<td>Parking lot and residential use</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>H</td>
<td>Student housing</td>
</tr>
<tr>
<td></td>
<td>West</td>
<td>PB</td>
<td>Business 40 ramp and undeveloped property</td>
</tr>
</tbody>
</table>

(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

The proposed mixture of uses is compatible with the uses permitted on the adjacent H, PB, and CB zoned properties; however, some of the proposed non-residential uses may not be as compatible with the residential uses permitted on the adjacent RSQ zoned site.

Physical Characteristics

The partially developed site includes a few large hardwood trees and has a gentle slope downward toward the southwest.

Proximity to Water and Sewer

The site has access to public water and sewer.

Stormwater/Drainage

No known issues.

Watershed and Overlay Districts

The site is not located within a water supply watershed.
### Analysis of General Site Information

The partially developed site is located within an established, mixed use area between downtown and Old Salem. The site appears to possess no development constraints such as designated floodplains, watersheds, or steep slopes.

### 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>Main Street</td>
<td>Major Thoroughfare</td>
<td>170'</td>
<td>7,000</td>
<td>27,500</td>
</tr>
<tr>
<td>Business 40</td>
<td>Freeway</td>
<td>92'</td>
<td>62,300</td>
<td>68,000</td>
</tr>
<tr>
<td>Church Street</td>
<td>Minor Thoroughfare</td>
<td>196'</td>
<td>1,600</td>
<td>13,800</td>
</tr>
<tr>
<td>Cemetery Street</td>
<td>Minor Thoroughfare</td>
<td>85'</td>
<td>2,600</td>
<td>15,800</td>
</tr>
</tbody>
</table>

Proposed Access Point(s): Because this is a special use limited request with no site plan or access conditions, the exact location of access points is unknown. The site is currently accessed from Church Street and Cemetery Street.

Trip Generation - Existing/Proposed:

- **Existing Zoning:** RSQ
  - 11 dwelling units x 6.65 (Apartment Trip Rate) = 73 Trips per Day

- **Proposed Zoning:** PB-L
  - Staff is unable to provide an accurate trip generation because there is no site plan.

Sidewalks: Sidewalks are located along both sides of all the three adjacent City streets.

Transit: Route 14 runs along Main Street.

### Analysis of Site Access and Transportation Information

The adjacent streets (with the exception of Business 40) have excess capacity. Transit service and an extensive network of sidewalks are also located in the area. The access to Business 40, adjacent to the site, may change in the next several years due to the planned bridge and interchange improvements to this section of Business 40.

### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>Growth Management Area 1 - City Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Legacy Recommendations</td>
<td>• Make recommendations to protect and enhance urban schools, parks, institutional uses, and other services through the area plan process.</td>
</tr>
<tr>
<td>Relevant Area Plan(s)</td>
<td>South Central Area Plan (2003); Draft South Central Area Plan (Recommended for approval by the Planning Board on August 14, 2014 and scheduled for City Council public hearing on October 6, 2014).</td>
</tr>
<tr>
<td>Area Plan Recommendations</td>
<td>The Draft South Central Area Plan (2014) recommendation is for institutional use.</td>
</tr>
<tr>
<td>Site Located Along a Growth Corridor?</td>
<td>The site is not located along a growth corridor.</td>
</tr>
<tr>
<td>Site Located within Activity Center?</td>
<td>The site is not located within an activity center.</td>
</tr>
</tbody>
</table>
Any new building(s) proposed for the subject property will be assigned an address when the site plan for the building is submitted.

(R)(3) - Have changing conditions substantially affected the area in the petition?
No

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

The subject property is located in the City Center GMA and serves as one of the more highly visible, transitional properties between Old Salem and the downtown area. The proposed PB-L district, with its building placement and orientation requirements, mixture of permitted uses, and reduced parking standards, is a more suitable zoning district for this location than the existing RSQ district.

Staff notes that the UDO requires multifamily buildings, within the Urban Neighborhoods GMA, to have the lowest floor elevated at least two and one-half (2.5) feet above the average street grade when said buildings are setback less than ten (10) feet from the public street. This elevation requirement permits a greater degree of privacy and perceived comfort for street level, urban living. While staff realizes this requirement is not applicable to the subject property (due to its location within GMA 1) it is staff’s preference that this design element would be taken into consideration should the site be redeveloped for multifamily residential use.

### 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-2273</td>
<td>CI to CB</td>
<td>Approved 12-7-98</td>
<td>Directly north</td>
<td>4.5</td>
<td>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>PB-L zoning may facilitate the redevelopment of this underutilized site.</td>
<td>Some of the proposed commercial uses are not specifically consistent with the institutional land use recommended in the draft area plan.</td>
</tr>
<tr>
<td>The request complies with the purpose statement of the proposed PB district and the site is adjacent to other PB zoning.</td>
<td></td>
</tr>
<tr>
<td>The site is a suitable location for PB zoning because it is located within GMA 1 and is served by transit and sidewalks.</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.
PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

In response to a question from Melynda Dunigan about why was there no outreach to the neighborhood when there are quite a few homes in the area, Luke Dickey (Stimmel Associates) explained that there had not been a formal neighborhood meeting but they had been in communication with Old Salem and the Salem Congregation about it. These two entities own most of the property in this area. Being that it was surrounded by PB and RSQ zoning and Salem College, they mainly dealt with the immediate property owners who were right around there.

The staff report indicated that there were some uses being requested which were not quite compatible with the IP district which is what was recommended in the area plan. They were mostly commercial uses and those are the ones the neighbors might have a concern about. Having a dialogue would have been helpful.

In response to a question about whether the petitioner needs all the requested uses, Mr. Dickey indicated that though there is no intention of utilizing some of those uses at this time, the petitioner would like to have flexibility for future use. Because PB adjoins this site and the uses are compatible, the petitioner felt the requested uses were compatible with the area.

Melynda Dunigan indicated that her concern with this is that the neighbors have not been consulted.
MOTION: Paul Mullican moved approval of the zoning petition.
SECOND: Allan Younger
VOTE:
   FOR: Arnold King, Darryl Little, Paul Mullican, Allan Younger
   AGAINST: Melynda Dunigan, Barry Lyons
   EXCUSED: None

________________________
A. Paul Norby, FAICP
Director of Planning and Development Services
EXISTING RSQ USES ALLOWED

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, Duplex
Residential Building, Single Family
Residential Building, Twin Home
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
Residential Building, Multifamily
Residential Building, Townhouse
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
Landfill, Land Clearing/Inert Debris
Manufactured Home, Class A
Park and Shuttle Lot

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
SERVICES, A. An establishment primarily engaged in providing a service(s) to business and individuals. All merchandise and rental equipment is stored inside enclosed buildings. Services A includes the following list of uses (including SIC groups and all subcategories not elsewhere listed):

7212  Garment Pressing and Agents for Laundries and Drycleaners
7215  Coin-Operated Laundries and Cleaning
7216  Drycleaning Plants, Except Rug
7217  Carpet and Upholstery Cleaning
722   Photographic Studios, Portrait
723   Beauty Shops
724   Barber Shops
725   Shoe Repair and Shoeshine Parlors
729   Miscellaneous Personal Services
733   Mailing, Reproduction, Commercial Art and Photography
735   Equipment Rental and Leasing (only with inside storage of equipment)
737   Computer Programming, Data Processing and other Computer Related Services
       (Except Computer Programming, 7371; Prepackaged Software, 7372; and,
       Computer System Design, 7373)
738   Miscellaneous Business Services
762   Electrical Repair Shops
763   Watch, Clock, and Jewelry Repair
764   Reupholstery and Furniture Repair
7699  Uses from SIC 7699 primarily engaged in providing repair and other services to
       business and individuals, that by the nature of their operation have little impact on
       adjoining property due to noise, odor, vibration, and/or air or water pollution. All
       repair items and supplies are stored in enclosed buildings. These uses include repair
       of small or precision equipment, such as medical, dental laboratory or drafting
       equipment, and the repair of personal use property such as cameras, musical
       instruments, and bicycles, and other services, including locksmiths and custom
       picture framing.
USES ALLOWED UNDER PROPOSED "SERVICES, B"

SERVICES, B. An establishment primarily engaged in providing services to commercial and business establishments. Operations may include large scale facilities and storage of merchandise and equipment outside enclosed buildings. Services B includes the following list of uses (including SIC groups and all subcategories not elsewhere listed):

- 721 Laundry, Cleaning, and Garment Services Except those listed under Services A
- 7312 Outdoor Advertising Services
- 734 Services to Dwellings and Other Buildings
- 735 Equipment Rental and Leasing (with outside storage of equipment)
- 7623 Refrigeration Service and Repair
- 7692 Welding Repair
- 7694 Armature Rewinding Shops
- 7699 Establishments from SIC 7699 primarily engaged in providing repair and other services to businesses and to a lesser extent, individuals, that by the nature of their operation could impact adjoining property due to noise, odor, vibration, and/or air or water pollution. Uses include repair or servicing of large or heavy machinery, such as engines and appliances, and welding, blacksmith or gunsmith shops, and septic tank or sewer cleaning services, but not to include agriculture and farm equipment, industrial truck repair, and motorcycle repair.