DOCKET #: W3134

PROPOSED ZONING: IP

EXISTING ZONING: GO

PETITIONER: Winston-Salem Center for Education & The Arts, Inc. for property owned by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 1

ACRES: 1.16

NEAREST BLDG: 40' east

MAP(S): 630854
March 21, 2012

Winston-Salem Center for Education & The Arts, Inc.  
c/o Nancy Waxley, President  
501 W. Fifth Street  
Winston-Salem, NC  27101

Re:  Zoning Map Amendment W-3134

Dear Ms. Waxley:

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,

[Signature]

A. Paul Norby, FAICP  
Director of Planning

pc:  City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
<table>
<thead>
<tr>
<th><strong>ACTION REQUEST FORM</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DATE:</strong> March 21, 2012</td>
</tr>
<tr>
<td><strong>TO:</strong> The Honorable Mayor and City Council</td>
</tr>
<tr>
<td><strong>FROM:</strong> A. Paul Norby, FAICP, Director of Planning</td>
</tr>
</tbody>
</table>

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of Winston-Salem Center for Education & The Arts, Inc.

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**SUMMARY OF INFORMATION:**

Zoning map amendment of Winston-Salem Center for Education & The Arts, Inc. from GO to IP: property is located on the south side of Sixth Street between Poplar Street and Buxton Street (Zoning Docket W-3134).

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**PLANNING BOARD ACTION:**

<table>
<thead>
<tr>
<th><strong>MOTION ON PETITION:</strong></th>
<th>APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FOR:</strong></td>
<td>UNANIMOUS</td>
</tr>
<tr>
<td><strong>AGAINST:</strong></td>
<td>NONE</td>
</tr>
<tr>
<td><strong>SITE PLAN ACTION:</strong></td>
<td>NOT REQUIRED</td>
</tr>
</tbody>
</table>
CITY ORDINANCE - GENERAL USE

Zoning Petition of Winston-Salem Center for Education & The Arts, Inc., Docket W-3134

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

PIN #6835-07-4704

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

## PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3134</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Winston-Salem Center for Education &amp; The Arts, Inc.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #6835-07-4704</td>
</tr>
<tr>
<td>Address</td>
<td>630 West Sixth Street</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General Use rezoning from GO to IP</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from GO (General Office District) to IP (Institutional 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 | According to an email received from the petitioner’s representative: “The petitioner held a neighborhood meeting on 2-27-12 at 7:30 pm in the First Baptist Church. Issues discussed were: traffic/transportation, possible after school programs, building use, and lunch program. Two individuals from the community attended the meeting and nine representatives of the petitioner were present. All neighborhood representatives expressed favor for the project and redevelopment of the site.” |

| 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 subject property and adjacent properties have a history of office, institutional, and business uses and the site is across the street from residential development. |

## GENERAL SITE INFORMATION

<p>| Location | South side of Sixth Street between Poplar Street and Buxton Street |
| Jurisdiction | City of Winston-Salem |
| Ward(s) | Northwest |
| Site Acreage | ± 1.16 acre |
| Current Land Use | A one story, 18,246 sf office building, constructed in 1968, is currently located on the site. It was the previous location of the Employment Security Commission. |</p>
<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>RMU</td>
<td>Multifamily residential</td>
</tr>
<tr>
<td></td>
<td>East</td>
<td>IP WO</td>
<td>First Baptist Church</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>GO &amp; GO WO</td>
<td>Office building and parking lot</td>
</tr>
<tr>
<td></td>
<td>West</td>
<td>PB</td>
<td>Blue Bird Cab Company</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?

Yes, the permitted uses within the proposed IP District are compatible with the institutional, office, and commercial uses permitted in the surrounding districts.

Physical Characteristics

The fully developed site has a moderate 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.

Analysis of General Site Information

The site has no apparent constraints and appears to be suitable for development within the proposed IP District.

### 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>Sixth Street</td>
<td>Minor Thoroughfare</td>
<td>408'</td>
<td>5,600</td>
<td>11,400</td>
</tr>
<tr>
<td>Poplar Street</td>
<td>Collector Street</td>
<td>82'</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Buxton Street</td>
<td>Local Street</td>
<td>138'</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

Proposed Access Point(s)

Because this is a General Use request with no site plan, the exact location of access points is unknown. The site is currently accessed from Sixth Street, Poplar Street, and Buxton Street.

Trip Generation - Existing/Proposed

Existing and Proposed Zoning:

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

Sidewalks

Sidewalks are located along Sixth Street and Buxton Street.

Transit

Route 4 runs along Sixth Street.

Analysis of Site Access and Transportation Information

The site has good access with frontage on three streets. Staff does not anticipate any negative transportation impacts from this request.

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**

Growth Management Area 1 – City Center

**Relevant Legacy Recommendations**

- Permit institutional facilities at appropriate locations.
<table>
<thead>
<tr>
<th>Relevant Area Plan(s)</th>
<th><em>The Downtown Plan (2007)</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Plan Recommendations</td>
<td>- The site is located in an area designated for mixed use in <em>The Downtown Plan.</em></td>
</tr>
<tr>
<td>Other Applicable Plans and Planning Issues</td>
<td>Comments from the Inspections Division: If there is a change of use (or if no use has been established in the structure), permits will be required to establish the use.</td>
</tr>
<tr>
<td>Addressing</td>
<td>Additional address assignments will be required if more than one tenant occupies this building.</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td><em>(R)(3) - Have changing conditions substantially affected the area in the petition?</em> No</td>
</tr>
<tr>
<td>Analysis of Conformity to Plans and Planning Issues</td>
<td><em>(R)(4) - Is the requested action in conformance with Legacy?</em> See comments below</td>
</tr>
<tr>
<td></td>
<td>The request is to rezone the subject property from GO to IP. Currently located on the site is a one story office building which previously housed the Employment Security Commission.</td>
</tr>
<tr>
<td></td>
<td>While there are similarities between these two districts, there are some differences as well. For instance, the existing GO District has no setback or impervious surface limitations while the proposed IP District does. In regard to uses, the GO District allows offices, banks, and hospitals while the IP District allows schools, animal shelters, and recreational uses.</td>
</tr>
<tr>
<td></td>
<td>The request is consistent with <em>The Downtown Plan</em> which recommends a mixture of uses in this area. Planning staff supports the request which may lead to reuse of either the building or the site which has been unoccupied for over four years.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RELEVANT ZONING HISTORIES</th>
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<tr>
<td><strong>Case</strong></td>
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<tr>
<td>W-3064</td>
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<tr>
<th>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</th>
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</thead>
<tbody>
<tr>
<td><strong>Positive Aspects of Proposal</strong></td>
</tr>
<tr>
<td>The request is consistent with the proposed IP District purpose statement.</td>
</tr>
<tr>
<td>The request is consistent with the general recommendations of Legacy.</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-3134
MARCH 8, 2012

PUBLIC HEARING
FOR: None
AGAINST: None

WORK SESSION
MOTION: Clarence Lambe moved approval of the zoning map amendment.
SECOND: Paul Mullican
VOTE:
   FOR: Wesley Curtis, Arnold King, Clarence Lambe, Barry Lyons, Lynne Mitchell, Paul Mullican, Brenda Smith, Allan Younger
   AGAINST: None
   EXCUSED: None

A. Paul Norby, FAICP
Director of Planning
EXISTING GO USES ALLOWED
City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Academic Medical Center
Arts and Crafts Studio
Banking and Financial Services
Child Care, Drop-In
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Club or Lodge
College or University
Fraternity or Sorority
Funeral Home
Government Offices, Neighborhood Organization, or Post Office
Hospice and Palliative Care
Hospital or Health Center
Institutional Vocational Training Facility
Library, Public
Museum or Art Gallery
Nursing Care Institution
Offices
Park and Shuttle Lot
Police or Fire Station
Recreation Facility, Public
School, Vocational or Professional
Services A
Utilities

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care Institution
Child Care, Sick Children
Child Day Care Center
Landfill, Land Clearing/Inert Debris
Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Helistop

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
PROPOSED IP USES ALLOWED
City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Academic Biomedical Research Facility
Animal Shelter, Public
Cemetery
Child Care, Drop-In
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
College or University
Funeral Home
Golf Course
Government Offices, Neighborhood Organization, or Post Office
Hospice and Palliative Care
Library, Public
Museum or Art Gallery
Nursing Care Institution
Park and Shuttle Lot
Police or Fire Station
Recreation Facility, Public
Recreation Services, Indoor
Recreation Services, Outdoor
Residential Building, Single Family
Swimming Pool, Private
Utilities

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
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
Club or Lodge
Family Group Home B
Family Group Home C
Habilitation Facility A
Habilitation Facility B
Planned Residential Development
School, Private
School, Public
School, Vocational or Professional
USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Helistop
Landfill, Land Clearing/Inert Debris
Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
The proposed zoning map amendment from GO (General Office District) to IP (Institutional Public District) is consistent with the general recommendations of the *Legacy Comprehensive Plan*, and the *Downtown Area Plan* and is reasonable and in the public interest because:

1. The subject property and adjacent properties have a history of office, institutional, and business uses and the site is across the street from residential development;

2. The site has no apparent constraints and appears to be suitable for development within the proposed IP District; and

3. The request is consistent with the proposed IP District purpose statement.
DENIAL
STATEMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
W-3134
(WINSTON-SALEM CENTER FOR EDUCATION & THE ARTS, INC.)

Although the proposed zoning map amendment from GO (General Office District) to IP (Institutional Public District) is consistent with the general recommendations of the Legacy Comprehensive Plan and the Downtown Area Plan, approval of the request is not reasonable and in the public interest because the request is more restrictive than the existing GO District in regard to impervious coverage and building setback requirements.