



DOCKET #: W3037

PROPOSED ZONING:
GO-L

EXISTING ZONING:
RM12-S

PETITIONER:
Shiloh Baptist Church
for property owned
by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 2

ACRES: 5.17

**NEAREST
BLDG:** 35' east

MAP(S): 636858



June 24, 2009

Shiloh Baptist Church
c/o Bill B. Rice, Treasurer
916 East 12th Street
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-3037

Dear Mr. Rice:

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

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102
John W. Sullivan, 4725 Sudsbee Lane, Walkertown, NC 27051

ACTION REQUEST FORM

DATE: June 24, 2009
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Shiloh Baptist Church

SUMMARY OF INFORMATION:

Zoning map amendment of Shiloh Baptist Church from RM-12-S to GO-L (Health Services, Miscellaneous; Professional Office; Offices, Miscellaneous; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Child Day Care Center; Adult Day Care Center; School, Vocational or Professional; Medical and Surgical Offices): property is located on the northeast and northwest corners of Highland Avenue and Eleventh Street (Zoning Docket W-3037).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL.
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED

CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of Shiloh Baptist Church, Docket W-3037

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 RM-12-S to GO-L (Health Services, Miscellaneous; Professional Office; Offices, Miscellaneous; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Child Day Care Center; Adult Day Care Center; School, Vocational or Professional; Medical and Surgical Offices) the zoning classification of the following described property:

PIN #'s 6836-60-0703 and 6836-50-6667

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 Shiloh Baptist Church.

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 Shiloh Baptist Church. 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 Shiloh Baptist Church, (Zoning Docket W-3037). The site shall be developed in accordance with the conditions approved by the Board and the following uses: (Health Services, Miscellaneous; Professional Office; Offices, Miscellaneous; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Child Day Care Center; Adult Day Care Center; School, Vocational or Professional; Medical and Surgical Offices), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the GO-L zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

There are no additional conditions.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3037		
Staff	Gary Roberts, Jr. AICP		
Petitioner(s)	Shiloh Baptist Church		
Owner(s)	Same		
Subject Property	PIN #'s 6836-60-0703 and 6836-50-6667		
Address	916 East Twelfth Street		
Type of Request	Special use limited rezoning		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RM12-S (Residential, Multifamily District; maximum density 12 units per acre) [Day Care Center] to GO-L (General Office – Special Use Limited) The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Health Services, Miscellaneous; Professional Office; Offices, Miscellaneous; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Child Day Care Center; Adult Day Care Center; School, Vocational or Professional; Medical and Surgical Offices 		
Zoning District Purpose Statement	The GO District is primarily intended to accommodate high intensity office uses and supporting services. The district is established to provide locations for employment within Growth Management Areas 1 and 2, Metro Activity Centers, and Growth Management Area 3 with access to thoroughfares.		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes, the site is located within GMA 2 along a bus route.		
GENERAL SITE INFORMATION			
Location	Northeast and northwest corners of Highland Avenue and Eleventh Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	East		
Site Acreage	Approximately ± 5.17 acres		
Current Land Use	The facility is primarily unoccupied with the exception of a small church.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	Single family homes
	East	RM-18	Multifamily residential
	South	RM-18	Best Choice YWCA & Multifamily residential
	West	RS-9 & LI-S	Undeveloped property and Shiloh Baptist Church

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	The proposed institutional and office uses are compatible with the adjacent institutional and multifamily uses.			
Physical Characteristics	The site is predominately developed and relatively flat.			
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 within a water supply watershed.			
Analysis of General Site Information	The site appears to possess no development constraints and is suitable for development within the proposed GO-L district.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Highland Avenue	Collector Street	754' total	NA	NA
Eleventh Street	Local Street	499' total	NA	NA
Twelfth Street	Collector Street	464'	NA	NA
Proposed Access Point(s)	While no site plan is associated with this Special Use Limited request, the site has public street access on three sides.			
Trip Generation - Existing/Proposed	<p><u>Existing zoning: RM12-S</u> 42,165 sf / 1,000 = 42.17 x 79.26 (Day Care Center Trip Rate) = 3,342 Trips per Day</p> <p><u>Proposed zoning: GO-L</u> No trip generation rate available for proposed GO-L zoning.</p>			
Sidewalks	Sidewalks are located along both sides of all adjacent streets.			
Transit	Route 2 along Highland Avenue			
Traffic Impact Study (TIS)	A TIS is not required.			
Analysis of Site Access and Transportation Information	The site has public street access on three sides and it is not anticipated that the proposed request will have any adverse transportation impacts.			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	Growth Management Area 2, Urban Neighborhoods			
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • <u>Infill and Redevelopment</u>: Manage growth by making more efficient use of land that has already been developed, encouraging reuse and infill and capitalizing on other development opportunities. Older urban and suburban neighborhoods should be reinforced as good places to live and do business. (p. 25) 			

Relevant Area Plan(s)	<i>East Northeast Winston-Salem Area Plan, 2008</i>					
Area Plan Recommendations	<ul style="list-style-type: none"> • <i>East Winston Metro Activity Center (MAC)</i>: The subject property is within the East Winston MAC which recommends more intense mixed-use, pedestrian-friendly commercial areas, office/low-intensity commercial development and a variety of housing types (p. 58). • <i>Proposed Land Use Changes (Map6)</i>: The area is shown as part of the MLK Jr. Dr./Cleveland Ave./New Hope Lane Mixed-Use Area (pp.46-47). • <i>MLK Jr. Dr./Cleveland Ave./New Hope Lane Mixed-Use Area</i>: The Housing Authority of Winston-Salem (HAWS) is interested in the redevelopment of a large portion of the Planning Area that includes a number of multifamily developments owned by them or privately-owned. The redevelopment of this area could take place through the creation of new public/private partnerships (p. 39). 					
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?					
	No					
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(4) - Is the requested action in conformance with <i>Legacy</i>?					
	Yes					
Analysis of Conformity to Plans and Planning Issues	Staff views this request as being consistent with the recommendations of <i>Legacy</i> in that it would encourage the reuse of land that has already been developed. This site is within the East Winston MAC where office use is recommended as per the <i>East Northeast Winston-Salem Area Plan</i> .					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1867	R2-S to R2-S (RM12-S)	Approved 2-7-94	Current site	5.17	Approval	Approval
W-1359	R2-S to R2-S	Approved 7-7-86	Current site	5.17	Approval	Approval
W-1176	R-2 and R-4 to R2-S	Approved 7-2-84	Current site	5.17	Approval	Approval
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
Request is consistent with <i>Legacy</i> and the <i>East Northeast Winston-Salem Area Plan</i> .			The request could increase the development pressure on single family homes located directly across Twelfth Street.			
Request will allow for additional uses and building intensity which may result in the reoccupancy and/or redevelopment of the site.						
Change of use within the proposed GO district will trigger a bufferyard requirement between the adjacent RM-18 zoned 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.**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment.

SECOND: Wesley Curtis

VOTE:

FOR: Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning