DOCKET #: W3049

PROPOSED ZONING:
IP

EXISTING ZONING:
RS9 and LB

PETITIONER:
Salem Congregation for property owned by Same

SCALE: 1" represents 300'

STAFF: Roberts

GMA: 2

ACRES: 1.26

NEAREST BLDG: 10’ east

MAP(S): 636846
December 16, 2009

Salem Congregation
c/o Mark L. Leinbach
501 S. Main Street
Winston-Salem, NC  27101

RE:   ZONING MAP AMENDMENT W-3049

Dear Mr. Leinbach:

    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
COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Salem Congregation from LB and RS-9 to IP

SUMMARY OF INFORMATION:

Zoning map amendment of Salem Congregation from LB and RS-9 to IP: property is located on the southeast corner of Peachtree Street and Bretton Street (Zoning Docket W-3049).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED
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 LB & RS-9 to IP the zoning classification of the following described property:

PIN #'s 6844-16-3358, 4236, and 4444

Section 2. This ordinance shall become effective upon adoption.
# PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3049</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr, AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Salem Congregation</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #'s 6844-16-3358, 4236, and 4444</td>
</tr>
<tr>
<td>Address</td>
<td>209 Peachtree Street</td>
</tr>
<tr>
<td>Request Summary</td>
<td>This is a general use rezoning request from RS-9 and LB to IP.</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property <strong>from</strong> RS-9 (Residential, Single Family; 9,000 sf minimum lot size) and LB (Limited Business District) <strong>to</strong> IP (Institutional Public District). <strong>NOTE:</strong> Both general 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.</td>
</tr>
</tbody>
</table>

## 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(S)

(S)(I) - **Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?**

Yes, the site is situated between and within a residential area and a commercial node and is developed with a neighborhood scale church.

## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Southeast corner of Peachtree Street and Bretton Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Southeast</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 1.26 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>A neighborhood scale church is currently located on the site.</td>
</tr>
</tbody>
</table>

### 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>RS-9</td>
<td>Single family homes</td>
</tr>
<tr>
<td>East</td>
<td>RS-9 &amp; LB</td>
<td>Single family homes and a laundromat</td>
</tr>
<tr>
<td>South</td>
<td>LB</td>
<td>Small scale businesses</td>
</tr>
<tr>
<td>West</td>
<td>RS-9</td>
<td>Single family homes</td>
</tr>
</tbody>
</table>
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?
---|---
| Yes, the IP uses are compatible with the adjacent LB zoned uses and are
generally compatible with the adjacent RS-9 uses.

Physical
Characteristics | The site is developed and has a gentle slope downward to the southwest.

Proximity to
Water and Sewer | Public water and sewer are available.

Stormwater/
Drainage | No known issues.

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

Historic, Natural
Heritage and/or
Farmland
Inventories | This site is the former home to Immanuel Moravian Church, and is listed
on the National Register of Historic Places as part of the
Waughtown/Belview Historic District. Constructed in 1953, the church is
a contributing property to the District. Immanuel Moravian was designed
in the Colonial Revival style. An earlier church building appears on a
1951 Sanborn map. Organized in 1912, the first church building was
begun in that same year. The extant building was opened on April 19,
1953. The building was designed as an education building with additional
space for worship and fellowship. A new sanctuary was planned, but
never executed due to the decline in membership in the 1960s. The
congregation merged with New Eden Moravian Church in 2002. From a
Historical Resources perspective, it would be preferable if the building
were to remain and not undergo significant exterior alterations.

Analysis of
General Site
Information | The site appears to possess no constraints and is suitable for development
within the proposed IP District.

| Site Access and Transportation Information |
| --- | --- | --- | --- | --- |
| Street Name | Classification | Frontage | ADT Count | Capacity/LOS D |
| Peachtree Street | Collector Street | 271’ | NA | NA |
| Bretton Street | Local Street | 186’ | NA | NA |
| Waughtown Street | Major Thoroughfare | 61’ | 13,000 | 19,200 |

Proposed Access
Point(s) | Because this is a general use request, the exact location of access points is
unknown; however, the site does have public road frontage on three sides.

Trip Generation -
Existing/Proposed | No trip generation numbers available for existing LB and proposed IP
general use zoning.

Sidewalks | Sidewalks are located along all three street frontages.

Transit | Route 26 along Peachtree Street and Route 29 along Waughtown Street.

Analysis of Site
Access and
Transportation
Information | Staff does not anticipate any negative transportation impacts from this
request.
### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>Growth Management 2, (Urban Neighborhoods)</th>
</tr>
</thead>
</table>
| Relevant Legacy Recommendations | • **Infill and Redevelopment:** 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)  
• **Infill and Redevelopment:** Encourage redevelopment of infill and “under invested” areas. (p. 71) |
| Relevant Area Plan(s) | Southeast Winston-Salem Area Plan (2002) |
| Area Plan Recommendations | • On the existing land use map the subject parcel is shown for retail and institutional uses. No changes are recommended on the proposed land use map. |
| 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  
(S)(4) - Is the requested action in conformance with Legacy?  
Yes |
| Analysis of Conformity to Plans and Planning Issues | The subject property has been the site of a neighborhood scale church for many years. Currently the site has a split zoning of RS-9 and LB. The requested IP District is a common zoning district for churches. Extending the IP District into the portion of the site which is now zoned RS-9 would allow for other additional institutional type uses to occur. However, considering again the historical use of the site for a non residential use and the more intense commercial uses now allowed within the LB zoned portion, which would no longer be permitted, staff sees the request as a reasonable trade off.  
The request is consistent with the recommendations of Legacy in that it may encourage redevelopment of infill and “under invested” areas. |

### 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-2157</td>
<td>LB and RS-9 to PB-S</td>
<td>Approved 6-2-97</td>
<td>200’ southwest</td>
<td>1.58</td>
<td>Approval</td>
</tr>
<tr>
<td></td>
<td>Staff</td>
<td>CCPB</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Approval</td>
<td>Denial</td>
<td></td>
<td></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 |
| Complies with Chapter B, Article VII, Section 7-5.3 |  
(A) Legacy policies: | Yes |
|               | (B) Environmental Ord. | NA |
|               | (C) Subdivision Regulations | NA |
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>Proposed zoning is consistent with the historical use of the subject property.</td>
<td>Request would extend the IP District further into the single family residential neighborhood.</td>
</tr>
<tr>
<td>Request would remove the split zoning on the site.</td>
<td></td>
</tr>
<tr>
<td>The request may allow other land uses on the site which may lead to reoccupancy of the property.</td>
<td></td>
</tr>
<tr>
<td>Request is consistent with the recommendations of Legacy.</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

MOTION: Clarence Lambe moved approval of the zoning map amendment.
SECOND: Wesley Curtis
VOTE:
   FOR: Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Darryl Little, Lynne Mitchell, Paul Mullican, Brenda Smith
   AGAINST: None
   EXCUSED: None

A. Paul Norby, FAICP
Director of Planning
DOCKET #: W3049

PROPOSED ZONING:
IP

EXISTING ZONING:
RS9 and LB

PETITIONER:
Salem Congregation for property owned by Same

SCALE: 1" represents 300'
STAFF: Roberts
GMA: 2
ACRES: 1.26
NEAREST BLDG: 10' east
MAP(S): 636846