



**DOCKET #:** W2685

**PROPOSED ZONING:**  
RS-9

**EXISTING ZONING:**  
LB

**PETITIONER:**  
New Unity Missionary  
Baptist Church for  
property owned by Same

**SCALE:** 1" represents 200'

**STAFF:** Gallaway

**GMA:** 2

**ACRE(S):** 0.53

**MAP(S):** 630866



April 21, 2004

New Unity Missionary Baptist Church  
c/o Daniel L. Wolfe, Deacon  
2946 Ivy Avenue  
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT W-2685

Dear Deacon Wolfe:

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, AICP  
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102  
David Kessler, Architect, 108 S. Spruce Street, Winston-Salem, NC 27101

**ACTION REQUEST FORM**

**DATE:** April 21, 2004  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, AICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of New Unity Missionary Baptist Church

**SUMMARY OF INFORMATION:**

Zoning map amendment of New Unity Missionary Baptist Church from LB to RS-9: property is located at the southwest corner of East Thirtieth street and Ivy Avenue; property consists of 0.53 acre; (Zoning Docket W-2685).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - GENERAL USE

Zoning map amendment of New Unity Missionary Baptist Church, Docket W-2685

AN ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM, N.C.

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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 to RS-9 the zoning classification of the following described property:

Tax Block 0960, Tax Lots 26 and 27

Section 2. This ordinance shall become effective upon adoption.

## ZONING STAFF REPORT

**DOCKET #** W-2685  
**STAFF:** Suzy Gallaway

Petitioner(s): New Unity Missionary Baptist Church  
Ownership: Same

### **REQUEST**

From: LB (Limited Business)  
To: RS-9 (Residential Building, Single Family)

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

NOTE: This is a general use zoning petition; therefore, ALL uses permitted in the above requested district should be considered.

Acreage: 0.53 acre

### **LOCATION:**

Street: Southwest corner of East Thirtieth Street and Ivy Avenue  
Jurisdiction: City of Winston-Salem  
Ward: East

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Neighborhood-scale church.  
Adjacent Uses:

North -	Automotive repair facility.
Northeast -	Vacant convenience store.
South -	Multifamily structures.
West -	Single family homes.

### **GENERAL AREA**

Character/Maintenance: Area is a mixture of uses, with a variety of maintenance conditions, somewhat depending on use type.

Development Pace: Slow.

## **HISTORY**

Relevant Zoning Cases:

1. W-1965; LB to HB; withdrawn at Planning Board June 8, 1995; east side of Patterson Avenue south of Indiana Avenue; 0.18 acre; staff recommended denial.
2. W-1869; R-1 to B-3 (comparable to RM-5 to LB or HB); denied February 7, 1994; southeast corner of Thirtieth Street and Patterson Avenue; 0.18 acre; Planning Board and staff recommended denial.
3. W-646; R-4 to B-3 (comparable to IP to LB or HB); approved June 5, 1978; southwest side of Indiana Avenue southwest of Indiana Avenue; 0.50 acre; Planning Board and staff recommended approval.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Because this is a general use petition, the impact of this proposal to this site's existing features cannot be determined at this time. However, the subject property is already completely covered by an existing structure and impervious surfaces.

Topography: The subject property experiences an elevation change of approximately 8 feet, rising from about 976 feet along the southern border of the site up to about 984 feet in the northwest corner of the site.

Vegetation/habitat: No existing vegetation is present on the subject property.

Water Supply Watershed: The subject property is not located in a water supply watershed.

## **TRANSPORTATION**

Direct Access to Site: Ivy Avenue; East Thirtieth Street; Glenn Avenue; Indiana Avenue

Street Classification: Ivy Avenue – Collector Road; East Thirtieth Street – Minor Thoroughfare; Glenn Avenue – Minor Thoroughfare; Indiana Avenue – Major Thoroughfare

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day): East

Thirtieth Street between Glenn and Indiana Avenues = 5,000 / 10,500

Glenn Avenue between Twenty-Eighth and East Thirtieth Streets = 2,900 / 12,700

Indiana Avenue between Patterson and Ivy Avenues = 7,000 / 32,200 (1998 Count)

Connectivity of street network: Good

Sidewalks: Existing along south side of East 30<sup>th</sup> Street, east side of Ivy Avenue and both sides of Glenn Avenue

Transit: Routes 9 and 10 one block west on Patterson Avenue

## **CONFORMITY TO PLANS**

GMP Area (*Legacy*): GMA 2, Urban Neighborhoods

Relevant Comprehensive Plan Recommendation(s): *Legacy* recommends quality infill development, greater residential densities where appropriate, neighborhood retail, and

community services; historic preservation, rehabilitation and reuse of existing structures; convenient commercial services to support neighborhood needs; and, protection of residential areas from inappropriate commercial and industrial encroachment.

Area Plan/Development Guide: The site is not in a current area plan area, but is in the designated North Central Area Plan area to be started by staff in 2004.

## **COMMUNITY DEVELOPMENT**

Certified Area/Name: Greenway Neighborhood

Type of Certification: Rehabilitation, Conservation, and Reconditioning Area, certified May 13, 1982.

Redevelopment Recommendation(s): As this area was certified as a Rehabilitation, Conservation, and Reconditioning Area, there are no redevelopment recommendations for the site, or for the area. The City has and continues to encourage rehabilitation of properties in the area by enforcing the minimum housing code, encouraging rehab of properties and making community development loan funds available for both owner-occupied and investor owned improvements.

## **ANALYSIS**

The current zoning request is to rezone just over one-half acre from Limited Business (LB) to Residential Building, Single Family; minimum of 9,000 square foot lot size (RS-9). The majority of properties on the south side of East Thirtieth Street are zoned as residential properties. Rezoning this property as requested would be consistent with other zoning classifications in the area.

The site is developed with a Church or Religious Institution, Neighborhood (less than 600 seats) and associated parking. This use is allowed by right in both the existing LB and the proposed RS-9 Zoning Districts. RS-9 and LB have different requirements pertaining to both impervious surface coverage as well as setbacks. The impervious surface requirements would not affect the petitioner in the case of expansion, as the site is legally non-conforming regarding impervious surfaces percentages. However, if the Church were to expand setbacks could become an issue, as the setbacks of LB adjacent to residential zoning are more stringent than those of RS-9 adjacent to other residential.

The removal of the LB Zoning Classification at this location could help preserve the residential structures at some point in the future. The existing LB allows numerous uses that may not be compatible with the neighborhood such as Car Wash, Motor Vehicle, Repair and Maintenance and Motorcycle Dealer. The proposed RS-9 is compatible to other Zoning Classifications in the area.

Staff is of the opinion this change in zoning would be consistent with that of the surrounding area and may serve to protect the area from inappropriate commercial uses in the future that can occur with LB zoning.

## **FINDINGS**

1. The majority of properties on the south side of East Thirtieth Street are zoned as residential properties.
2. The site is developed with a Church or Religious Institution, Neighborhood (less than 600 seats) and associated parking.
3. This use is allowed by right in both the existing LB and the proposed RS-9 Zoning Districts.
4. The removal of the LB Zoning Classification at this location could help protect the adjacent residential properties from the redevelopment of more intense LB uses.
5. Rezoning this property as requested would be consistent with other zoning classifications in the area.

## **STAFF RECOMMENDATION**

Zoning: **APPROVAL.**

### **Public Hearing**

FOR: None

AGAINST: None

### **Work Session**

MOTION: Jimmy Norwood moved approval of the zoning map amendment.

SECOND: Carol Eickmeyer

VOTE:

FOR: Clark, Eickmeyer, Glenn, King, Lambe, Mullican, Norwood, Smith

AGAINST: None

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A. Paul Norby, AICP  
Director of Planning