

Motion and
Statement of Consistency with Comprehensive Plan
F-1560

I move that the following statement be adopted in support of a **Motion to Approve** Zoning Map Amendment F-1560:

The proposed general use zoning map amendment, as petitioned by St. Andrews Presbyterian Church, to rezone a .71 acre piece of property from RS-30 (Residential, Single Family District – 30,000 square foot minimum lot size) to IP (Institutional and Public District), is consistent with the recommendations of the Legacy Comprehensive Plan and the adopted North Suburban Area Plan Update, and is reasonable and in the public interest because:

1. The subject property is currently used for institutional purposes (a portion of a neighborhood scale church) and is compatible with the institutional and residential uses permitted on the surrounding RS-30, RS-9 and IP-S zoned properties;
2. The zoning request is consistent with the purpose statement of the IP district; and
3. The zoning request is not likely to generate any negative transportation impacts;

Based on the foregoing Statement, I move adoption of F-1560.

Second:

Vote:

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: October 24, 2016 **AGENDA ITEM NUMBER:** _____

SUBJECT:-

- A. Public Hearing on Zoning Petition of St. Andrews Presbyterian Church From RS30 to IP: Property is Located on the Southwest Side of Phelps Circle Across from Holly Ridge Drive (Zoning Docket F-1560)
- B. Ordinance Amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, North Carolina

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

After consideration, the Planning Board recommended approval of the rezoning petition.

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____
County Manager

COUNTY ORDINANCE - GENERAL USE

Zoning Petition of St. Andrews Presbyterian Church, Docket F-1560

AN ORDINANCE AMENDING
THE FORSYTH COUNTY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF THE
COUNTY OF FORSYTH,
NORTH CAROLINA

BE IT ORDAINED by the Board of County Commissioners of the County of Forsyth as follows:

Section 1. The Zoning Ordinance of the *Unified Development Ordinances* of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from RS30 to IP the zoning classification of the following described property:

PIN # 6829-73-1061

Section 2. This ordinance shall become effective upon adoption.



September 13, 2016

St. Andrews Presbyterian Church
c/o Mike Hartman
357 Old Hollow Road
Winston-Salem, NC 27105

Bryce A. Stuart Municipal Building
100 E. First Street
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.748.3163
www.cityofws.org/planning

Re: Zoning Petition F-1560

Dear Petitioner:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners. You will be notified by the Board of Commissioners' Office of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning and Development Services

pc: Clerk to the Board of Commissioners, Forsyth County Government Center - 5th Floor,
201 N. Chestnut Street, Winston-Salem, NC 27101



Call 311 or 336-727-8000
citylink@cityofws.org

City Council: Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; Molly Leight, South Ward; Jeff MacIntosh, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

Forsyth County Commissioners: David R. Plyler, Chairman; Don Martin, Vice Chair; Ted Kaplan; Richard V. Linville; Walter Marshall; Gloria D. Whisenhunt; Everette Witherspoon; County Manager: Dudley Waters, Jr.

City-County Planning Board: Arnold G. King, Chair; Allan Younger, Vice-Chair; George M. Bryan, Jr.; Melynda Danigan; Tommy Hicks; Clarence R. Lambe, Jr.; Darryl Little; Paul W. Mullican; Brenda J. Smith

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	F-1560
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	St. Andrews Presbyterian Church
Owner(s)	Same
Subject Property	PIN# 6829-73-1061
Address	The site fronts on Phelps Circle but is functionally connected to 357 Old Hollow Road
Type of Request	General use rezoning from RS30 to IP
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS30 (Residential, Single Family; 30,000 sf minimum lot size) to IP (Institutional and Public district).</p> <p>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.</p>
Neighborhood Contact/Meeting	The petitioner held a neighborhood meeting on August 23, 2016 from 6-7pm at the subject property. Those in attendance were: Rev. Mrs. Emily Larsen, Mike Hartman, Co-Chair of Building & Grounds at St. Andrews Presbyterian Church, and Mr. Chris Mack, City of Winston-Salem Community Assistance Liaison. There were no neighbors in attendance.
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)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, currently the site consists of a portion of a neighborhood scale church which is which is located in a residential setting.</p>
GENERAL SITE INFORMATION	
Location	Southwest side of Phelps Circle across from Holly Ridge Drive
Jurisdiction	Forsyth County
Site Acreage	± .71 acre
Current Land Use	Currently a portion of a neighborhood scale church (St. Andrews Presbyterian Church) is located on the subject property.

Surrounding Property Zoning and Use	Direction	Zoning District		Use
	North	RS30		Undeveloped property and single family homes
	East	RS30		Single family homes
	South	RS9		Remaining portion of St. Andrews Presbyterian Church campus
	West	RS30		Single family homes
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	The institutional uses permitted in the proposed IP district are generally compatible with the institutional and residential uses permitted on the adjacent properties.			
Physical Characteristics	The partially developed site has a gentle slope downward toward the southeast.			
Proximity to Water and Sewer	Public water is 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 subject property, which fronts along Phelps Circle, comprises the northern portion of the St. Andrews Presbyterian Church campus. The majority of said campus is within the corporate limits of Winston-Salem and is zoned RS9 (see tandem rezoning request W-3304).			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Phelps Circle	Local street	210'	NA	NA
Proposed Access Point(s)	Because this is a general use request, the exact location of access points is unknown. The site is currently accessed from Phelps Circle.			
Planned Road Improvements	The majority of the church campus fronts on Old Hollow Road. The <i>Comprehensive Transportation Plan</i> recommends a two lane cross section for this section of Old Hollow Road with bike lanes, curb and gutter, and sidewalks.			
Trip Generation - Existing/Proposed	The proposed zoning to IP should have no significant impact on the estimated trip generation.			
Sidewalks	There are no sidewalks located in the general area.			
Transit	Route 9 services the intersection of Baux Mountain Road and Pleasant View Drive located approximately 3.2 miles to the south.			
Analysis of Site Access and Transportation Information	Staff does not foresee any transportation related issues associated with this request.			

CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 3 - Suburban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> Residential areas should be protected from inappropriate residential, commercial, industrial and institutional encroachment. Institutions are valued land uses and should be allowed to grow and expand to meet their needs in a manner compatible with their surrounding neighborhood.
Relevant Area Plan(s)	<i>North Suburban Area Plan Update (2014)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> The site is shown as institutional use on the proposed land use map.
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Addressing	There are no addressing or street naming issues.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(R)(4) - Is the requested action in conformance with Legacy 2030?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The subject request is to rezone a portion of the campus for an existing neighborhood scale church (seating capacity of 600 persons or less) located on .71 acre, from RS30 to IP. Both the existing RS30 and the proposed IP districts allow neighborhood scale churches as a use by right.</p> <p>The following list of uses are allowed in the proposed IP district but not allowed in the existing RS30 district:</p> <ul style="list-style-type: none"> Child Care, Drop-In Funeral Home Government Offices, Neighborhood Organization, or Post Office Habilitation Facility B Habilitation Facility C Hospice and Palliative Care Museum or Art Gallery Academic Biomedical Research Facility Adult Day Care Center Child Care Institution Child Care, Sick Children

- Child Day Care Center
- Family Group Home B
- School, Vocational or Professional
- Club or Lodge
- College or University
- Family Group Home C
- Recreation Services, Indoor
- Recreation Services, Outdoor
- Animal Shelter, Public

Additionally, the use of an Electronic Message Board sign is allowed in IP and not in the existing RS30 district.

The proposed IP district is a common zoning classification for institutional uses such as schools and churches. The site abuts the main portion of a church campus which has frontage along a major thoroughfare. The church is also adjacent to another institutional use zoned IP-S. Planning staff recommends approval of the request.

RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2234	RS9 to RM8-S	Denied 8-3-98	300' south	20.09	Approval	Approval
W-1744	R5 to R6-S (IP-S)	Approved 12-9-91	350' southwest	8.5	Approval	Approval

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The site is currently used for institutional purposes.	The proposed IP district allows some uses which may be too intense for the surrounding residential area.
The request is consistent with the purpose statement of the IP district.	
The request is consistent with the recommendations of the <i>North Suburban Area Plan Update</i> .	
The request is not likely to generate any negative transportation impacts.	

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 F-1560
SEPTEMBER 8, 2016**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning petition.

SECOND: Clarence Lambe

VOTE:

FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Arnold King, Clarence Lambe,
Paul Mullican, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services

F-1560 ATTACHMENT A
EXISTING RS30 USES ALLOWED
Forsyth County Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Adult Day Care Home
Agricultural Production, Crops
Agricultural Production, Livestock
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private
Transmission Tower (see UDO)

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)

Cemetery
Church or Religious Institution, Community
Golf Course
Landfill, Land Clearing/Inert Debris, 2 acres or less
Library, Public
Planned Residential Development
School, Private
School, Public
Utilities

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

Bed and Breakfast
Borrow Site
Campground
Child Day Care, Large Home
Dirt Storage
Fishing, Fee Charged
Habilitation Facility A
Kennel, Outdoor
Manufactured Home, Class A
Manufactured Home, Class B
Manufactured Home, Class C
Nursing Care Institution
Park and Shuttle Lot
Recreational Vehicle Park
Riding Stable

F-1560 ATTACHMENT A
EXISTING RS30 USES ALLOWED
Forsyth County Jurisdiction Only

Shooting Range, Outdoor
Transmission Tower

**USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED
BODY (E)**

Access Easement, Private Off-Site
Landfill, Land Clearing/Inert Debris, greater than 2 acres
Parking, Off-Site, for Multifamily or Institutional Uses

F-1560 ATTACHMENT B
PROPOSED IP USES ALLOWED
Forsyth County Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Cemetery
Child Care, Drop-In
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Funeral Home
Golf Course
Government Offices, Neighborhood Organization, or Post Office
Habilitation Facility A
Habilitation Facility B
Habilitation Facility C
Hospice and Palliative Care
Library, Public
Museum or Art Gallery
Nursing Care Institution
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private
Transmission Tower (see UDO)
Utilities

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)

Academic Biomedical Research Facility
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
Family Group Home B
Park and Shuttle Lot
Planned Residential Development
School, Private
School, Public
School, Vocational or Professional

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

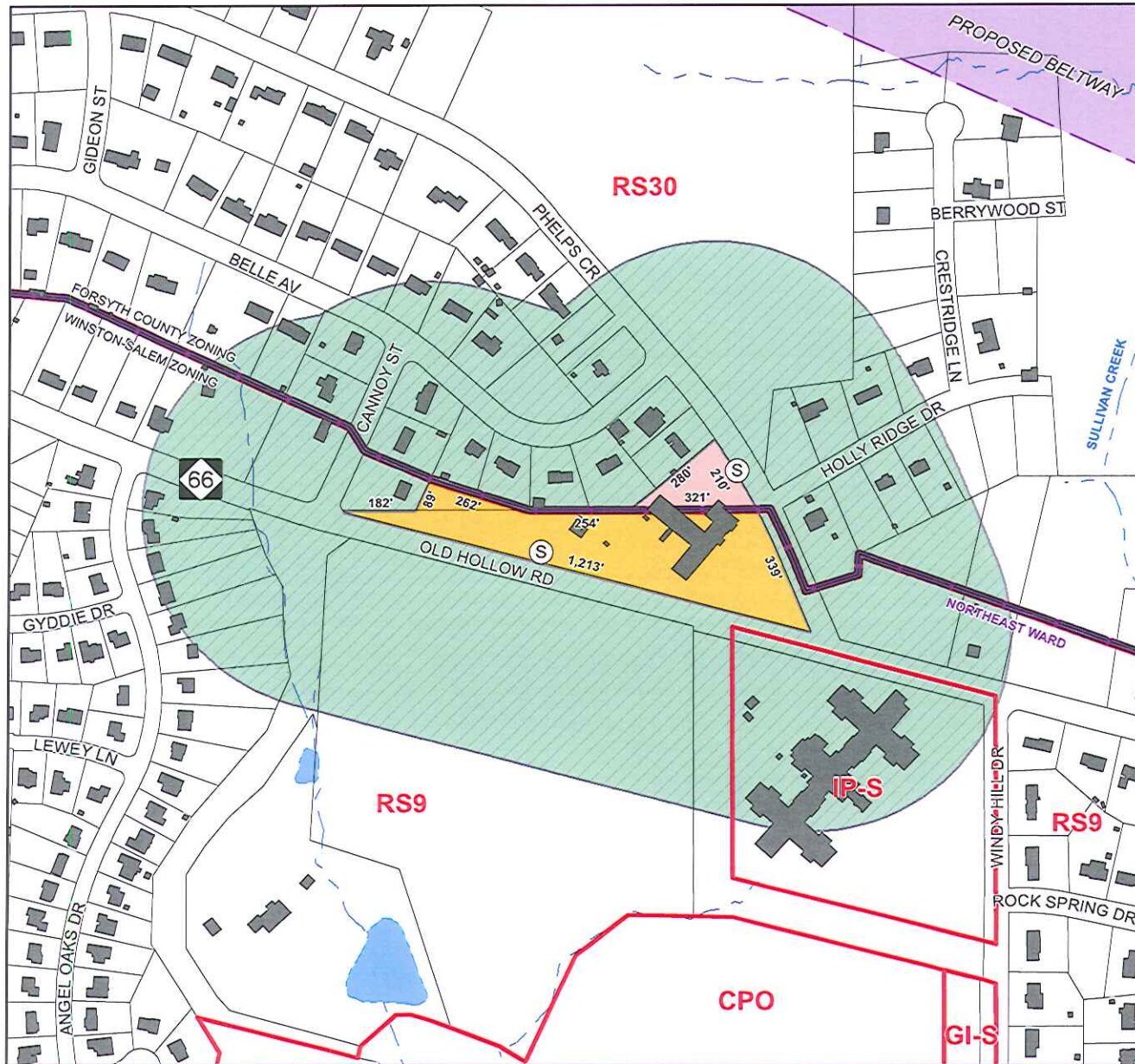
Club or Lodge
College or University
Family Group Home C
Recreation Services, Indoor
Recreation Services, Outdoor
Transmission Tower
Uses Allowed in IP

Revised 10/19/2015

F-1560 ATTACHMENT B
PROPOSED IP USES ALLOWED
Forsyth County Jurisdiction Only

**USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED
BODY (E)**

Access Easement, Private Off-Site
Animal Shelter, Public




Printed: 8/12/2016


DOCKET #: W3304, F1560


PROPOSED ZONING:
IP

EXISTING ZONING:
RS9, RS30

PETITIONER:
St. Andrews Presbyterian Church

 Property included in zoning request W3304.

 Property included in zoning request F1560.

 500' mail notification radius. Property not in zoning request.

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRES: 4.01 W3304
0.71 F1560
4.72 Total

NEAREST BLDG: 5' north

MAP(S): 6829.04

