



DOCKET #: W3031

PROPOSED ZONING:
LB

EXISTING ZONING:
RS9

PETITIONER:
St. Matthews Apostolic
Church for property owned
by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 2

ACRES: 0.24

**NEAREST
BLDG:** 70' east

MAP(S): 642870



April 22, 2009

St. Matthews Apostolic Church
c/o Bishop Lowery, Trustee
P. O. Box 16052
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT W-3031

Dear Bishop Lowery:

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
Pat Crosby, P. O. Box 341, Dobson, NC 27017

ACTION REQUEST FORM

DATE: April 22, 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 St. Matthews Apostolic Church

SUMMARY OF INFORMATION:

Zoning map amendment of St. Matthews Apostolic Church from RS-9 to LB: property is located 215' west of the intersection of Northampton Drive and New Walkertown Road (Zoning Docket W-3031).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of St. Matthews Apostolic Church, Docket W-3031

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

BEGINNING at an iron pipe found in the western right of way line of Northampton Drive, said pipe being the southeastern corner of Willie A. McMoore's property (Deed Book 1397, Page 47) and the northeast corner of Paul L. Miller's property (Deed Book 2616, Page 1507); thence from said point North 86 deg 58' 00" West 200.04 feet to an iron pipe found at the southwest corner of Willie A. McMoore's property (Deed Book 1397, Page 47) said point being the POINT AND PLACE OF BEGINNING: Thence from said POINT AND PLACE OF BEGINNING North 86 deg 58' 00" West 120.48 feet to an iron pipe found in the northwest corner of Paul L. Miller's property (Deed Book 2616, Page 1507), thence North 40 deg 18' 25" East 222.19 feet to an iron stake at the Northwest corner of Willie A. McMoore's property (Deed Book 1397, Page 47) and the southwest corner of Albert B. Samuel, Jr.'s Property (Deed Book 1813, Page 286); thence South 9 deg 19' 20" West 200 feet to an iron stake at the POINT AND PLACE OF BEGINNING. Said parcel being 0.24 acres more or less.

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3031		
Staff	Gary Roberts, Jr. AICP		
Petitioner(s)	St. Matthews Apostolic Church		
Owner(s)	Same		
Subject Property	PIN #6847-60-3733 (portion of)		
Address	Site is located to the rear of 3800 Northampton Road		
Type of Request	General use rezoning to LB		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 Residential, Single Family District; 9,000 sf minimum lot size to LB Limited Business District.</p> <p>NOTE: 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.</p>		
Zoning District Purpose Statement	<p>The LB District is primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods, including smaller business locations up to ten (10) acres in size in rural areas. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so that this district, in some instances, may serve as a transition between residential districts and other commercial districts. This district is intended for application in Growth Management Areas 2, 3, 4, and 5.</p>		
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)?		
	The site is located within GMA 3 and adjoins the back of two LB zoned properties which front on Major and Minor Thoroughfares.		
GENERAL SITE INFORMATION			
Location	215' west of the intersection of Northampton Drive and New Walkertown Road		
Jurisdiction	City of Winston-Salem		
Ward(s)	Northeast		
Site Acreage	Approximately ± 0.24 acres		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	Undeveloped property
	East	LB	3 Girls Convenience Store
	South	LB	Single family home
	West	RS-9	Undeveloped property

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 uses allowed under the proposed LB District are the same uses allowed on the adjacent LB zoned properties. The adjacent RS-9 zoned property is currently undeveloped.			
Physical Characteristics	The site is heavily wooded and has a moderate slope downward to the southwest.			
Proximity to Water and Sewer	The site is indirectly adjacent to public water and sewer via abutting properties.			
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 have no development constraints other than access, see Analysis of Site Access and Transportation Information section below.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Northampton Drive	Minor Thoroughfare	0'	3,900	16,100
New Walkertown Road	Major Thoroughfare	0'	4,700	16,100
Proposed Access Point(s)	Access cannot be determined with the proposed general use request.			
Planned Road Improvements	The Thoroughfare Plan recommends Northampton Road be improved to a three lane section with widened outside lanes, curb and gutter and sidewalks. The plan further recommends that New Walkertown Road be widened to a four lane median divided facility with widened outside lanes, curb and gutter and sidewalks.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RS-9</u> 0.24 acres x 43,560 sf / 9,000 = 1 unit x 9.57 (SFR Trip Rate) = 10 Trips per Day</p> <p><u>Proposed Zoning: LB</u> No trip generation numbers available for general use LB zoning.</p>			
Sidewalks	There are no sidewalks located in the general area.			
Transit	Not available			
Analysis of Site Access and Transportation Information	The subject property is currently a portion of an undeveloped tract which is zoned RS-9 and fronts on Sellwood Road. Should the current site be rezoned to LB, it will most likely be accessed from one of the adjacent LB zoned properties. Staff does not anticipate any negative transportation impacts from this request.			

CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA	Growth Management Area 3, Suburban Neighborhoods					
Relevant Legacy Recommendations	Legacy supports neighborhood serving commercial in close proximity to residential areas.					
Relevant Area Plan(s)	The subject property is not within the boundaries of an area plan or development guide.					
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 request would enlarge the existing LB zoned area at the intersection of Northampton Drive and New Walkertown Road by approximately 0.24 acres. The site is not within the boundaries of an area plan or development guide; however, it is consistent with the recommendations of Legacy in that it may further support neighborhood serving commercial in close proximity to residential areas.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2458	RS-9 to RM8-S	Approved 4-2-01	450' southeast	3.4	Approval	Approval
W-2114	LO-S to RS-9	Approved 1-6-97	100' southwest	1.9	Approval	Approval
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.3 (G) Limited Business 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						
Positive Aspects of Proposal				Negative Aspects of Proposal		
Request would allow for the potential expansion of the adjacent LB zoned commercial operation and/or a redevelopment of the site.						
Request would square up the existing LB zoning line.						
Request is consistent with Legacy.						

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: Arthur King

VOTE:

FOR: Wesley Curtis, Arnold King, Arthur King, Darryl Little, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning