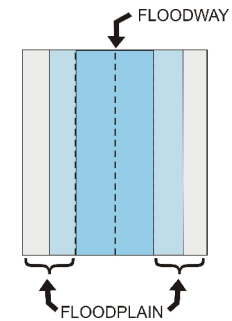


DOCKET #: W3036

PROPOSED ZONING:
IP

EXISTING ZONING:
CPO-S

PETITIONER:
Roman Catholic Diocese of
Charlotte NC for property
owned by Same



SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRES: 2.27

**NEAREST
BLDG:** 95' south

MAP(S): 612842



May 20, 2009

Roman Catholic Diocese of Charlotte NC
c/o Peter J. Jugis, Bishop
1123 Church Street, S.
Charlotte, NC 28203

RE: ZONING MAP AMENDMENT W-3036

Dear Bishop Jugis:

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
Thad Lewallen (Hospice), P. O. Box 5422, Winston-Salem, NC 27113

ACTION REQUEST FORM

DATE: May 20, 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 Roman Catholic Diocese of Charlotte NC

SUMMARY OF INFORMATION:

Zoning map amendment of Roman Catholic Diocese of Charlotte NC from CPO-S to IP: property is located off the north side of Hospice Lane, west of Burke Mill Road (Zoning Docket W-3036).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Roman Catholic Diocese of Charlotte NC, Docket W-3036

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 CPO-S to IP the zoning classification of the following described property:

Beginning at a an existing iron pipe in the southern margin of Interstate 40 and the northwest corner of Hospice of W.S. Forsyth Co. Inc. , Pin # 6814-74-3333 ; thence with Hospice of W.S. Forsyth Co. Inc. , Pin # 6814-74-3333 S 00°49'44" E a distance of 130.00' to an point; thence along the north line of Hospice of W.S. Forsyth Co. Inc. , Pin # 6814-74-3333 N 88°42'17" W a distance of 537.80', to an existing iron pipe ; thence with a proposed new line , N 00°55'35" E a distance of 221.60' to a existing iron pipe in the southern margin Interstate 40 ; thence along the southern margin of Interstate 40 , S 82°31'58" E a distance of 297.45', to an existing right of way monument ; thence continuing along said margin S 74°39'38" E a distance of 246.04', to an existing iron pipe; which is the point of beginning, having an area of 99091.11 square feet, 2.275 acres.

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3036		
Staff	Gary Roberts, Jr. AICP		
Petitioner(s)	Roman Catholic Diocese of Charlotte NC		
Owner(s)	Same		
Subject Property	Portion of PIN #6814-64-7436		
Address	The site is located directly north of 101 Hospice Lane		
Type of Request	General use rezoning		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from CPO-S (Corporate Park Office District) [Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Testing and Research lab; and Hospital or Health Center] to IP (Institutional Public 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	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)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes, the subject property is located adjacent to an existing institutional facility.		
GENERAL SITE INFORMATION			
Location	Off the north side of Hospice Lane, west of Burke Mill Road		
Jurisdiction	City of Winston-Salem		
Ward(s)	South		
Site Acreage	Approximately ± 2.27 acres		
Current Land Use	The site is undeveloped and has a 128 foot wide Duke Energy utility easement covering over 50% of the site.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	CPO-S	I-40 and Truliant Credit Union
	East	IP-S	Hospice
	South	IP-S	Hospice
	West	CPO-S	Undeveloped

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			
Physical Characteristics	The site is predominantly cleared and has variable topography with a moderate to steep slope downward to the west.			
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 relatively narrow site is traversed by a 128' wide Duke Energy easement. This constraint substantially limits the opportunity to place a building on the site. The recently approved site plan for the broader CPO-S tract shows this portion of the site as undeveloped. Staff does note that should the subject request be approved, a Staff change will be needed for the remainder of the CPO-S zoned site (W-3015). Based upon a preliminary analysis, staff does not see any issues with the proposed rezoning from that perspective.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Hospice Lane	Local Street	See below	NA	NA
Proposed Access Point(s)	Because this is a general use request, the exact location of access points is unknown. However, the approved site plan includes an access easement that would eventually connect to the western terminus of Hospice Lane. The eastern portion of the subject property can be accessed from the adjacent Hospice site which also connects to Hospice Lane.			
Trip Generation - Existing/Proposed	No buildings are shown on the approved CPO-S site plan for the subject property and trip generation is not available for the proposed general use district.			
Sidewalks	Sidewalks are located on the adjacent Hospice site frontage of Burke Mill Road.			
Transit	Route 23 along Burke Mill Road			
Analysis of Site Access and Transportation Information	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	<ul style="list-style-type: none"> • <i>Legacy</i> promotes a mix of uses in neighborhoods, including institutional and public uses that are appropriate for the area and in scale with the surrounding development. • <i>Legacy</i> encourages larger institutional facilities, including congregate care facilities, at appropriate locations. They can be transitional uses 			

	in neighborhoods and located at the edges of single family residential areas. <i>Legacy</i> calls for these to be designed in such a way as to minimize their impact on the character of an area.					
Relevant Area Plan(s)	<i>Southwest Suburban Area Plan</i> adopted by the Winston-Salem City Council August 2008, adopted by the Forsyth County Board of Commissioners January 2009					
Area Plan Recommendations	<ul style="list-style-type: none"> The site is located in an area designated in the Area Plan for office use. 					
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 <i>Legacy</i>?					
	Yes					
Analysis of Conformity to Plans and Planning Issues	The subject general use request is consistent with <i>Legacy</i> in that it would allow for the possible expansion of the adjacent Hospice institutional use. The site is also adjacent to I-40 and CPO-S zoning, therefore, no direct impact or encroachment to residential uses is anticipated.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3015	RS-9 & GB to CPO-S & LO-S	Approved 2-2-09	Included subject property	16.25	Approval	Approval
W-2597	RM12-S & RS-9 to IP-S	Approved 2-20-84	Directly east and south	15.93	Approval	Approval
Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy</i> policies:			Yes		
	(B) <i>Environmental Ord.</i>			NA		
	(C) Subdivision Regulations			NA		
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
Request is consistent with the IP District purpose statement.			A Staff Change will be required on the remainder CPO-S zoned site (W-3015).			
Request is consistent with <i>Legacy</i> .						
Request would allow for the possible expansion of the adjacent Hospice facility.						

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

AGAINST: None

EXCUSED: Wesley Curtis

A. Paul Norby, FAICP
Director of Planning