

November 18, 2009

The Salvation Army and Salvation Army UFR c/o Travis M. Israel P. O. Box 1205
Winston-Salem, NC 27102-1205

RE: ZONING MAP AMENDMENT W-3047

Dear Mr. Israel:

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 Larry Weston, Simon Green Atkins CDC, Campus Box 19479, Winston-Salem, NC 27110

ACTION REQUEST FORM

DATE: November 18, 2009

TO: The Honorable Mayor and City Council FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing of the Salvation Army and Salvation Army UFR

SUMMARY OF INFORMATION:

Request for Public Hearing of the Salvation Army and Salvation Army UFR from RS-9 to GO-S (Professional Office; Offices, Miscellaneous; Medical and Surgical Offices; Recreation Facility, Public; College or University; Church or Religious Institution, Neighborhood; Child Day Care Center; Arts and Crafts Studio; Police or Fire Station; Services, Business A; Services, Personal; and Health Services, Miscellaneous): property is located on the west side of Martin Luther King Jr. Drive between Allen Street and Wilbur Street (W-3047)

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL

FOR: CAROL EICKMEYER, ARNOLD KING, ARTHUR KING,

CLARENCE LAMBE, DARRYL LITTLE, LYNNE MITCHELL, PAUL MULLICAN, BRENDA SMITH

AGAINST: NONE

EXCUSED: WESLEY CURTIS

SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - SPECIAL USE

Zoning Petition of the <u>Salvation Army and</u> <u>Salvation Army UFR</u>, Docket <u>W-3047</u>

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

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 GO-S (Professional Office; Offices, Miscellaneous; Medical and Surgical Offices; Recreation Facility, Public; College or University; Church or Religious Institution, Neighborhood; Child Day Care Center; Arts and Crafts Studio; Police or Fire Station; Services, Business A; Services, Personal; and Health Services, Miscellaneous) the zoning classification of the following described property:

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

FROM A NAIL AND PENNY IN THE CENTERLINE OF THE INTERSECTION OF ALLEN STREET AND SOUTH MARTIN LUTHER KING DRIVE, THENCE FROM SAID P.K. NAIL, SOUTH 56 DEG 02 MIN 33 SEC WEST DISTANCE BEING 42.04 FEET TO A NEW IRON PIPE BEING THE POINT OF BEGINNING (NORTH EAST MOST CORNER OF TAX PROPERTY INDENTIFICATION NUMBER 6834-97-2416). THENCE ALONG WITH THE R.O.W OF SOUTH MARTIN LUTHER KING DRIVE, SOUTH 02 DEG 25 MIN 24 SEC WEST DISTANCE BEING 90.13 FEET TO A NEW IRON PIPE (SOUTH EAST MOST CORNER OF TAX PROPERTY INDENTIFICATION NUMBER 6834-97-2416). THENCE ALONG WITH THE R.O.W OF SOUTH MARTIN LUTHER KING DRIVE, SOUTH 02 DEG 25 MIN 24 SEC WEST DISTANCE BEING 269.89 FEET TO AN EXISTING IRON PIPE (SOUTH EAST MOST CORNER OF TAX PROPERTY INDENTIFICATION NUMBER 6834-97-0323). THENCE ALONG WITH THE R.O.W OF WILBUR STREET, NORTH 87 DEG 22 MIN 36 SEC WEST 213.99 FEET TO A NEW IRON PIPE. THENCE NORTH 02 DEG 30 MIN 21 SEC EAST DISTANCE BEING 360.15 FEET TO A NEW IRON PIPE. THENCE ALONG WITH THE R.O.W OF ALLEN STREET, SOUTH 87 DEG 20 MIN 36 SEC EAST DISTANCE BEING 123.35 FEET TO AN EXISTING IRON PIPE (BEING THE NORTH WEST MOST CORNER OF TAX PROPERTY INDENTIFICATION NUMBER 6834-97-2416). THENCE ALONG WITH THE R.O.W OF ALLEN STREET, SOUTH 87 DEG 20 MIN 36 SEC EAST DISTANCE BEING 90.12 FEET TO A NEW IRON PIPE AND THE POINT AND PLACE OF BEGINNING CONTAINING 1.77 ACRES MORE OR LESS.

Section 2. This Ordinance is adopted after	r approval of the site plan entitled East Side
Enterprise Center and identified as Attachment "A	A" of the Special Use District Permit issued by
the City Council the day of	, 20 to the <u>Salvation Army and</u>
Salvation Army UFR.	

<u>Section 3</u>. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as <u>East Side Enterprise Center</u>. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

<u>Section 4</u>. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of the Salvation Army and Salvation Army UFR, (Zoning Docket W-3047). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for GO-S (Professional Office; Offices, Miscellaneous; Medical and Surgical Offices; Recreation Facility, Public; College or University; Church or Religious Institution,

Neighborhood; Child Day Care Center; Arts and Crafts Studio; Police or Fire Station; Services, Business A; Services, Personal; and Health Services, Miscellaneous), approved by the Winston-Salem City Council the ______ day of ______, 20_____" and signed, provided the property is developed in accordance with requirements of the GO-S zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

• PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- a. Developer shall cordon off all areas shown on the site plan as tree save areas. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.
- b. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department. Required improvements include:
 - Dedication of 35' of ROW from the center of Martin Luther King, Jr. Drive;
 - Install sidewalk along the remaining frontage of Allen Street.
 - Developer shall contact WSTA to discuss possible bus stop amenities.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- a. Developer shall record a negative vehicular access easement in the Office of the Register of Deeds along the full frontage of Martin Luther King Jr. Drive.
- b. Developer shall obtain a demolition permit from the Inspections Division prior to the removal of the existing structures on the site.

CITY-COUNTY PLANNING BOARD STAFF REPORT

	PET	ITION INFORMATION		
Docket #	W-3047			
Staff	Gary Roberts, Jr. AICP			
Petitioner(s)	The Salvation Army and Salvation Army UFR			
Owner(s)	Same			
Subject Property	PIN # 6834-97-	2416 and a portion of PIN#	6834-97-0323	
Address	1922 South Ma	rtin Luther King Jr. Drive		
Request			RS-9 to GO-S which would	
Summary	retain the existing	ng structure and add a parki	ng lot.	
Proposal	The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 (Residential, Single Family; 9,000 sf minimum lot size) to GO-S (General Office District). The petitioner is requesting the following uses: • Professional Office; Offices, Miscellaneous; Medical and Surgical Offices; Recreation Facility, Public; College or University; Church or Religious Institution, Neighborhood; Child Day Care Center; Arts and Crafts Studio; Police or Fire Station; Services, Business A;			
		ersonal; and Health Services		
Zoning District	The GO District is primarily intended to accommodate high intensity			
Purpose Statement	office uses and supporting services. The district is established to provide locations for employment within Growth Management Areas 1 and 2,			
Statement	Metro Activity Centers, and Growth Management Area 3 with access to thoroughfares.			
Applicable		proposal consistent with the	e purpose statement(s) of the	
Rezoning	requested zoni		e purpose statement(s) or the	
Consideration	Yes, the site is located along a major thoroughfare within the Urban			
from Chapter B,	Neighborhoods, Growth Management Area 2.			
Article VI,				
Section 6-2.1(S)				
		RAL SITE INFORMATIO		
Location	West side of Martin Luther King Jr. Drive between Allen Street and			
	Wilbur Street			
Jurisdiction	City of Winston-Salem			
Ward(s)	East			
Site Acreage	Approximately 1.77 acres			
Current	The site is the former location of the Salvation Army Boys and Girls Club			
Land Use	and is now used as a neighborhood scale church.			
Surrounding	Direction	Zoning District	Use	
Property Zoning	North			
and Use	East	RS-9	Single family homes	
	South RS-9			
	West	RS-9	Undeveloped land	

Applicable	(S)(2) - Is/are th	e use(s) nermit	tted under th	e nronosed
Rezoning	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other			
Consideration	properties in the vicinity?			
from Chapter B,	While some of the proposed uses could be considered fairly intense, they			
Article VI,				nal building. Public streets
Section 6-2.1(S)				the subject property and the
(3)	adjacent homes.	e diegree er sep		are subject property und the
Physical		v mature canop	y trees and ha	as a gentle slope downward
Characteristics	to the northeast.	1		
Proximity to	Public water and	sewer are avail	able to the sit	te.
Water and Sewer				
Stormwater/	No known issues	•		
Drainage				
Watershed and	The site is not wi	thin a water suj	pply watershe	ed.
Overlay Districts				
Analysis of	The site has no ap	pparent develop	oment constra	ints and is suitable for
General Site	development with	nin the propose	d GO-S distri	ct.
Information				
	ACCESS AND T			
Street Name	Classification	Frontage	ADT	Capacity/LOS D
			Count	
Martin Luther King	Major	352'	9,200	15,600
Jr. Drive	Thoroughfare			
Wilbur Street	Local street	225'	NA	NA
Allen Street	Local street	213'	NA NA	NA
Proposed Access Point(s)	The site will continue to be accessed from Wilbur Street and Allen Street.			
Trip Generation -	Existing Zoning:	RS_0		
Existing/Proposed	Existing Zoning: RS-9 $1.77 \times 43,560 / 9,000 = 8 \text{ units } \times 9.57 \text{ (SFR Trip Rate)} = 77 \text{ Trips per Day}$			
Laisting/11oposed	1.77 X 13,5007 5	,000 0 units h	19.57 (SIR I	Tip Rate) // Tiips per Bay
	Proposed Zoning	: GO-S		
	Based upon the proposed uses and associated square footages as shown			
	on the site plan, the estimated trip generation will be 450 Trips per Day			
Sidewalks	Sidewalks are located along both sides of Martin Luther King Jr. Drive			
	and along a portion of Allen Street. The Sidewalk and Pedestrian			
	Facilities Plan requires sidewalks along the remaining frontage of Allen			
	Street.			
Transit	Bus service does not currently extend to this portion of Martin Luther			
	King Jr. Drive. However, Route 3, which served the site in the past when			
	ridership warranted, is within ½ mile of the site.			
Traffic Impact	Not required.			
Study (TIS)				
Analysis of Site	The WSDOT has requested that the circulation and driveway locations be			
Access and				rking lots and the petitioner
Transportation	coordinate with WSTA for possible bus stop amenities. NCDOT has			
Information	requested negative access onto Martin Luther King Jr. Drive.			

CO	ONFORMITY TO PLANS AND PLANNING ISSUES			
Legacy GMA	Growth Management Area 2 – Urban Neighborhoods			
Relevant <i>Legacy</i> Recommendations	• Legacy recommends: quality infill development and greater residential densities where appropriate; neighborhood retail and community services; and, historic preservation, rehabilitation and reuse of existing structures.			
Relevant Area Plan(s)	Southeast Winston-Salem Area Plan (SEAP) (2002)			
Area Plan Recommendations	 The lots owned by The Salvation Army on Bloomfield Drive are shown on the Proposed Land Use Map as Low Density Residential (Map 6, page 20) Under Community Facilities Recommendations a proposed sidewalk is shown on the Proposed Community Facilities Improvements map (Map 8), page 32 along Allen Street toward S. Martin Luther King, Jr. Drive. 			
Applicable Rezoning	(S)(3) - Have changing conditions substantially affected the area in the petition?			
Consideration from Chapter B,	No			
Article VI,	(S)(4) - Is the requested action in conformance with <i>Legacy</i> ?			
Section 6-2.1(S)	Yes			
Analysis of Conformity to Plans and Planning Issues	The subject rezoning request to GO-S would permit the reuse of the former 30,000 sf Salvation Army Boys and Girls Club. The principal building would remain and a new parking lot would be added to the northern portion of the site accessed from Allen Street.			
	The request includes a variety of office and institutional type uses. Some of these uses could be considered neighborhood serving and should afford the site, which has been underused for several years, good flexibility in regard to future occupancy. At the same time it would be anticipated that the impacts to the nearby single family homes would be comparable to the impacts associated with the historical use of the building and less than what could be expected under a commercial redevelopment scenario.			
	Legacy recommends quality infill development and greater residential densities where appropriate; neighborhood retail and community services; and historic preservation, rehabilitation and reuse of existing structures. Staff sees this request as being consistent with these recommendations.			
	However, it should be noted that staff would probably not support the extension of GO zoning into the remaining western section of the original site. Urban residential would seem to be a more complimentary fit for that undeveloped portion which extends deeper into the single family residential area.			

		RELEVAN	T ZONI	NG H	IISTOR	IES		
Case	Reques	st Decision &	Decision & Direction		Acreage	Recon	Recommendation	
		Date	from S	ite		Staff	ССРВ	
W-1236	R-4 to R3-	-S Approved	300' no	orth	.38	Approval	Approval	
	(RM5-S)	3-4-85						
	SITE	PLAN COMPLIA	NCE WI	TH U	J DO RE	QUIREMEN'	ΓS	
Building			Square Footage		Placement on Site			
Square F	'ootage	30,000	30,000 Addres		resses M	es Martin Luther King Jr. Drive		
Parking		Required		opose	V			
		117 spaces are required and 49 spaces To the north and south side						
		are proposed; how		_				
		conforming as per						
			comments below in Analysis section.					
Building	Height	Maximu	ım			Propos		
		60'				Three story,		
Impervio		Maximu	ım			Propos		
Coverage		80%				54%		
UDO Sec		• Chapter B, Art				/		
Relevant		± ′	icle II, So	ection	2-5.22	Church or Relig	gious Institution,	
Subject F	Request	Neighborhood						
		• Chapter B, Art						
		 Chapter B, Article II, Section 2-5.61 Police or Fire Station Chapter B, Article II, Section 2-5.51 Medical and Surgical Offices 						
					rgical Offices			
Complies with		(A) Legacy policies:		Yes				
Chapter Article V		(B) Environmental Or	rd.	NA				
Section 7		(C) Subdivision Regu	lations	NA NA				
Analysis	of Site	Located in the right	t-of-way	of Al	len Stree	et directly adjac	ent to the site is	
Plan Con	npliance	a 32 inch diameter Chestnut Oak. While the petitioner is not required to						
with UDO	0	preserve this tree because it is not on the subject property, they have						
Requiren	nents	volunteered to do so. Maintaining the tree protection zone of 32' will						
		require a sizeable adjustment to the boundaries of the proposed northern						
		parking lot. Staff applauds this effort.						
		As per UDO 160, non restaurant uses within GMA 1 and 2 are not required to increase the existing number of off-street parking spaces when						
		the use of the building changes. This applies to structures built prior to 9-						
		16-68 as is the case with the subject property. The revised site plan						
		complies with the requirements of the UDO.						

CONCLUSIONS TO ASSIST WITH RECOMMENDATION			
Positive Aspects of Proposal	Negative Aspects of Proposal		
Request will facilitate reinvestment and a	GO is an intense zoning district in this residential		
wider array of uses in an underutilized	neighborhood.		
institutional building			
Request may spur reinvestment in other			
neighboring properties.			
Request is consistent with <i>Legacy</i> .			

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

• PRIOR TO THE ISSUANCE OF GRADING PERMITS:

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STAFF RECOMMENDATION: APPROVAL

<u>NOTE:</u> These are **staff comments** only; <u>final recommendations</u> on projects are made by the City-County Planning Board, with <u>final decisions</u> 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, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Clarence Lambe

VOTE:

FOR: Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Darryl Little,

Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: Wesley Curtis

Chairman King asked for a report on this project. The following people spoke briefly about the plans for this project and noted their support:

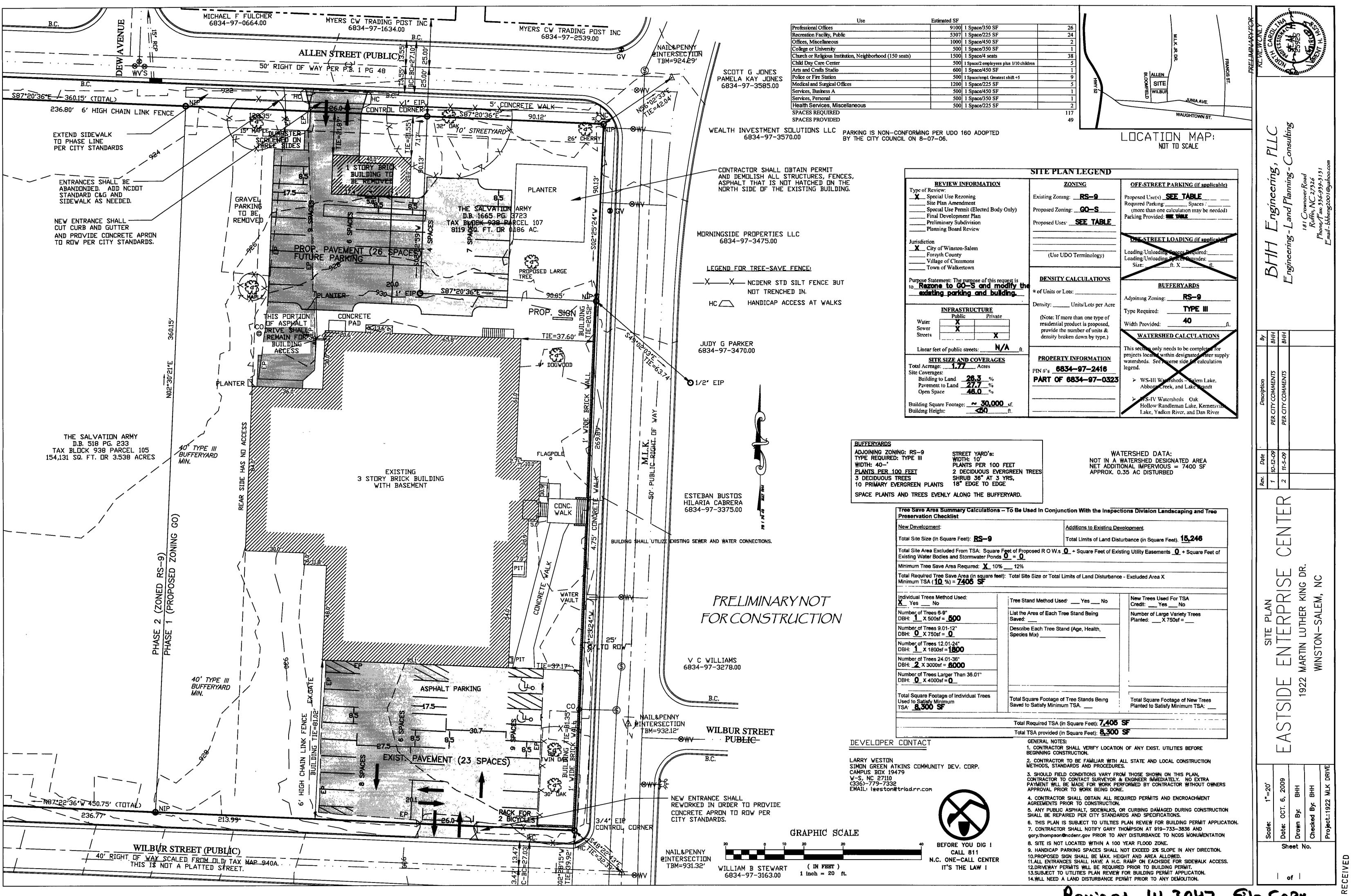
Carol Davis, Director of the Simon Green Atkins Community Development Corporation, 5017 Mayberry Lane, Winston-Salem, NC

Larry Weston, Simon Green Atkins Community Development Corporation

Shawna Baker, 1143 Clyde Anderton Dr, Kernersville, NC 27284

Stephen Angle, pastor of Southside Community Church, 1309 Waughtown Street, Winston-Salem, NC 27107

A. Paul Norby, FAICP Director of Planning



Revised W.3047 File Copy