



DOCKET #: W2628

PROPOSED ZONING:
IP

EXISTING ZONING:
RS9

PETITIONER:
First Baptist
Church of Stanleyville

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 1.75

MAP(S): 618890



ZONING STAFF REPORT

DOCKET # W-2628
STAFF: Gary Roberts

Petitioner(s): First Baptist Church of Stanleyville
Ownership: Same

REQUEST

From: RS-9 Single Family Residential District
To: IP Institutional Public District

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: 1.75 acres

LOCATION:

Street: Northwest corner of University Parkway and Ziglar Road.
Jurisdiction: City of Winston-Salem.
Ward: Northeast.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Church picnic shelter.

Adjacent Uses:

- North- Single family residences zoned RS-9.
- East- Single family residences zoned RS-9.
- South- Single family residences are vacant land zoned RS-9.
- West- First Baptist Church of Stanleyville zoned IP.

GENERAL AREA

Character/Maintenance: Mixture of well-maintained single family homes in relatively close proximity to institutional and commercial uses along a major thoroughfare.

Development Pace: Slow to moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: No impact determined with general use request.

Topography: Gradual slope downward from the southeast to the west.

Vegetation/habitat: Some mature trees exist at the front of the site along University Parkway while the majority of the site is grass.

Environmental Resources Beyond The Site: Because this is a general use proposal, the impacts to environmental resources beyond the site cannot be determined.

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

TRANSPORTATION

Direct Access to Site: University Parkway; Ziglar Road; Virginia Lake Road.

Street Classification: University Parkway – Major Thoroughfare; Ziglar Road – Minor Thoroughfare; Virginia Lake Road – Local Road.

Average Daily Traffic Count/Estimated:

Capacity at Level of Service D (Vehicles Per Day):

University Parkway between Ziglar Road and Old Hollow Road =
12,000/14,900

Ziglar Road between University Parkway and Bethania- Rural Hall Road=
1,400 (1998 count)/16,100

Planned Road Improvements: None.

Sidewalks: None existing along the street frontage of subject property. However, sidewalks were recently included as site plan conditions along the eastern and western side of University Parkway ±400 to the south.

Transit: None.

Bicycle Route: None.

HISTORY

Relevant Zoning Cases:

1. W-2577; RS-9 to LO-S (Professional Office; and Offices, Miscellaneous); approved February 5, 2002; west side of University Parkway south Ziglar Road; 1.3 acres; Planning Board recommended approval, staff recommended denial.
2. W-2516; HB-S to Final Development Plan; approved February 4, 2002; northwest side of Stanleyville Drive across from Nita Drive and east side of University Parkway; 1.21 acres; Planning Board and staff recommended approval.
3. W-2385; RS-9 to IP; approved May 1, 2000; north side of an existing tract of IP zoned land located on the north side of Ziglar Road between Nylon Drive and Virginia Lake Road; Tract 1: 1.32 acres, Tract 2: 0.62 acre; Planning Board recommended approval; staff recommended approval for tract 1, denial for tract 2.
4. W-2205; Tract 1, RS-9 and HB-S to NSB-S; Tract 2, RS-9 to RS-9-S; denied February 16, 1998; northeast corner of University Parkway and Stanleyville Drive; 7.87 acres; Planning Board recommended denial, staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): While neighborhoods should consist of a mixture of residential and non-residential uses, they should be protected from inappropriate encroachment by non-residential uses.

Area Plan/Development Guide: The subject property is within the boundaries of the *North Suburban Area Plan* which is currently being developed.

ANALYSIS

The subject request is to rezone 1.75 acres located on the northwest corner of University Parkway and Ziglar Road from RS-9 to IP. The site is currently undeveloped with the exception of a picnic shelter.

The surrounding development pattern is primarily single family residential and zoned RS-9. The First Baptist Church of Stanleyville, which is a neighborhood scale church, is located directly across Virginia Lake Road and is zoned IP. Further south along University Parkway, several properties have recently transitioned, through special use rezoning, into more intensive uses.

Legacy identifies a Metro Activity Center between one half mile and one mile south of the of the subject property along University Parkway. *Legacy* also notes that while neighborhoods should consist of a mixture of residential and non residential uses, they should be protected from inappropriate encroachment by non-residential uses. The subject property is within the boundaries of the *North Suburban Area Plan* which is currently being developed.

The proposed general use IP request allows a number of other uses which may, or may not be related to the customary operation of churches or religious institutions. Staff is concerned that some of the uses allowed in the IP zoning district, such as Recreation Services, Outdoor, (when operated by a non-profit organization), may not be fully compatible with the adjacent residential neighbors as a stand-alone, non-church related use. In addition, as noted in the Transportation section above, sidewalks have recently been included as conditions to several special use rezoning requests ± 400 feet south of the subject property. The surrounding residential component along with the subject properties frontage on University Parkway, and the precedent established by other recently rezoned properties, clearly demonstrate the need for reasonable pedestrian accommodations on the subject property. A special use request and associated site plan, would provide the opportunity to discuss sidewalk improvements along with other site design and land use considerations. Such considerations, including building placement, use, lighting, signage etc. will directly impact the neighboring residential homes to this highly visible corner property.

Furthermore, neighborhood scale "Churches or Religious Institution" as defined in the UDO, are allowed in the current RS-9 zoning classification as well as in the proposed IP district.

Expansions of institutional parking facilities within RS-9 requires a Special Use Permit. Based upon the above concerns staff recommends denial of the RS-9 to IP request.

FINDINGS

1. Single family residential is the predominant land use on the adjoining properties. *Legacy* notes that while neighborhoods should consist of a mixture of residential and non-residential uses, they should be protected from inappropriate encroachment by non-residential uses.
2. The subject property is within the boundaries of the *North Suburban Area Plan* which is currently being developed.
3. The general use nature of the subject request with its lack of a site plan forgo the opportunity to address site specifics such as land use, building placement, sidewalks, lighting and signage in a manner which is sensitive to the surrounding residential properties.
4. Neighborhood scale "Churches or Religious Institution" as defined in the UDO is currently allowed in the RS-9 zoning classification as well as in the proposed IP district.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

James Campbell, 788 Ashley Drive, Rural Hall, NC 27045
I am the chairman of the trustees for the church.
We want this rezoned to keep all of our property zoned the same.

AGAINST: No one spoke in opposition to the request for continuance.

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. The petitioner indicated some confusion about special use district zoning. John Bost: Was special use discussed with the petitioner? Gary Roberts: It is always done as part of the intake checklist when a rezoning request is received. David Reed: I am the one who met with the petitioners and special use district zoning was discussed. However, communication is never failsafe and can always be improved.
2. There was discussion about how detailed a Special Use District zoning site plan needed to be and whether the church's plans were detailed enough to be put on a site plan. Staff noted

that the types of changes likely to be desired by the church were changes that could be made on a staff level.

MOTION: Arnold King moved continuance of the zoning map amendment to September 11, 2003, with the waiver of all fees except advertising costs to give the petitioner an opportunity to submit a special use district rezoning request.

SECOND: Dara Folan

VOTE:

FOR: Bost, Clark, Doyle, Eickmeyer, Folan, Glenn, King, Lambe, Norwood

AGAINST: None

EXCUSED: None