

DOCKET #: W2860

PROPOSED ZONING:
Special Use Permit

EXISTING ZONING:
RS9

PETITIONER:
Winston-Salem/Forsyth
County Board of Education
for property owned by
Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 2

ACRE(S): 0.55

MAP(S): 630866



May 24, 2006

Winston-Salem/Forsyth County
Board of Education
c/o Gene Miller
P. O. Box 2513
Winston-Salem, NC 27102

RE: SPECIAL USE PERMIT W-2860

Dear Mr. Miller:

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
David Kessler, Trinity Architecture & Planning, 108 South Spruce Street, Winston-Salem, NC 27101
David Kessler, 155 Sunnynoll Court, Winston-Salem, NC 27106

ACTION REQUEST FORM

DATE: May 24, 2006
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on Special Use Permit of Winston-Salem/Forsyth County Board of Education

SUMMARY OF INFORMATION:

Special Use Permit of Winston-Salem/Forsyth County Board of Education for the expansion of institutional parking in a residential zoning district: property is located on the southeast corner of East Thirtieth Street and Ivy Avenue (Zoning Docket W-2860).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS

CITY ORDINANCE - SPECIAL USE PERMIT

Special Use Permit of Winston-Salem/Forsyth County Board of Education,
Docket W-2860

AN ORDINANCE ISSUING A SPECIAL USE
PERMIT FOR THE EXPANSION OF INSTITUTIONAL
PARKING IN A RESIDENTIAL ZONING DISTRICT

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

Section 1. The City Council hereby makes an affirmative finding as follows, based upon the material and competent evidence presented at the public hearing:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved;
2. That the use meets all required conditions and specifications;
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and,
4. That the location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with *Legacy*.

Section 2. The Winston-Salem City Council hereby issues a special use permit for the expansion of institutional parking in a residential zoning district in accordance with Section 6-1.5 of the Zoning Ordinance of the *Unified Development Ordinances* to Winston-Salem/Forsyth County Board of Education to be established on the following described property:

Tax Block 0960, Tax Lots 46, 47, 49, and 50

Section 3. This Ordinance is adopted after approval of the site plan entitled Winston-Salem/Forsyth County Board of Education and identified as Attachment "A" of the Special Use Permit issued by the City Council the _____ day of _____, to Winston-Salem/Forsyth County Board of Education

Section 4. The City Council hereby directs the issuance of a Special Use Permit pursuant to Section 6-1.5 of the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Winston-Salem/Forsyth County Board of Education. Said Special Use Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 5. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE PERMIT

SPECIAL USE 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 Permit for the site shown on the site plan map included in this zoning petition of Winston-Salem/Forsyth County Board of Education, (Zoning Docket W-2860). The site shall be developed in accordance with the plan approved by the Council and bearing the inscription: "Attachment A, Special Use Permit for the expansion of institutional parking in a residential zoning district, approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of Section 2-5. _____ of the Zoning Ordinance of the *Unified Development Ordinances*, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall obtain WSDOT driveway permit. Improvements include:
 - b. Dedication of 10' additional right-of-way along Thirtieth Street.
 - c. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Developer shall install all requirements of the WSDOT driveway permit.
- **OTHER REQUIREMENTS:**
 - a. All on site lighting shall be a maximum of 18 feet tall and shall be of the "shoebox" type or otherwise designed not to cast direct light on adjacent properties.
 - b. Developer shall install Large Variety Trees as per UDO Chapter B Section 3-4.10 (A) in required streetyards and bufferyards.

**CITY-COUNTY PLANNING BOARD STAFF
STAFF REPORT FOR: Docket # W-2860
May 11, 2006**

PETITION INFORMATION			
Docket #	W-2860		
Staff	Gary Roberts		
Petitioner(s)	Winston-Salem/Forsyth County Board of Education		
Owner(s)	Same		
Subject Property	Tax Lots 46, 47, and 50 / Tax Block 960		
Type of Request	Special Use Permit for the expansion of institutional parking in a residential zoning district (RS-9)		
Proposal	<ul style="list-style-type: none"> The petitioner is requesting a Special Use Permit for the expansion of institutional parking in a residential zoning district (RS-9). 		
Description of Existing Use	Site is undeveloped but partially graveled. The existing neighborhood scale church is located directly across Ivy Avenue.		
GENERAL SITE INFORMATION			
Location	Southeast corner of East Thirtieth Street and Ivy Avenue		
Jurisdiction	City of Winston-Salem		
Ward(s)	Northeast		
Site Acreage	Approximately ± .55 acre		
Current Land Use	Site is undeveloped and partially graveled.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	LB	Convenience store
	East	GI	Large scale manufacturing operation
	South	RS-9 and IP	Undeveloped property and a public school
	West	RS-9	Neighborhood scale church
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?		
	The proposed parking lot is compatible with the surrounding commercial and institutional land uses.		
Physical Characteristics	The site is flat.		
Proximity to Water and Sewer	Public water and sewer are available to the site.		
Storm water/ Drainage	The site plan states that storm water to be dispersed at the end of swale and sheet flow onto adjoining property. The Inspections Division recommends the developer prepare a storm water management study.		
Watershed and Overlay Districts	The site is not located within a water supply watershed.		

Analysis of General Site Information	Site is adequate for the proposed parking lot.			
Generalized Recommended Conditions	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> Developer shall obtain a grading permit. Developer shall submit a storm water management study. 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Indiana Avenue	Major Thoroughfare	+50'	NA	12,700
Thirtieth Street	Minor Thoroughfare	100'	NA	10,500
Ivy Avenue	Local Street	121'	NA	NA
Proposed Access Point(s)	Ivy Avenue			
Planned Road Improvements	The Thoroughfare Plan recommends that Thirtieth Street be improved to a three lane section with wide outside lanes and sidewalks. WSDOT recommends that 10' of additional right-of-way along Thirtieth Street be required.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning:</u> RS-9 0.55 acres (RS-9) x 43,560 / 9,000 = 2 units x 9.57 (SFR Trip Rate) = 19 Trips per Day</p> <p><u>Proposed Zoning:</u> No trip generation numbers available</p>			
Sidewalks	Sidewalks are located along the frontage of Indiana Avenue and Thirtieth Street. Staff recommends a sidewalk along Ivy Avenue and the provision of lateral connections from said sidewalks into the site.			
Transit	Route 10 along Indiana Avenue.			
Analysis of Site Access and Transportation Information	Access to the site is adequate. WSDOT staff recommends the following; move the entrance and the parking lot further south away from the entrance to Thirtieth Street; dedicate 10' of additional right-of-way along Thirtieth Street as per the recommendations of the Thoroughfare Plan; and provide sidewalks along Ivy Avenue and lateral sidewalk connections linking the site to the public sidewalks.			
Generalized Recommended Conditions	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> Obtain WSDOT driveway permit 			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	GMA 2 (Urban Neighborhoods)			
Relevant Legacy Recommendations	Legacy recommends expansion of services near where people live, including places of worship and other institutions, in a manner that is compatible with surrounding uses.			

Relevant Area Plan(s)	Draft <i>North Central Winston-Salem Area Plan</i>
Area Plan Recommendations	The Draft <i>North Central Winston-Salem Area Plan</i> , which is not an adopted Plan, does not make a specific recommendation for the use of this site.
Other Applicable Plans and Planning Issues	<p>For Special Use Permits (SUP) requiring approval by the elected body, certain findings have to be met. Findings of the Planning Board accompanying a favorable recommendation shall include:</p> <p><u>Planning Board Findings:</u></p> <ol style="list-style-type: none"> 1. The development is in conformity with <i>Legacy</i>. (Yes) 2. Water and sewer service are available in adequate capacity. (Yes) 3. Where buildings greater than thirty-five (35) feet in height are proposed within the City of Winston-Salem limits, there is adequate access for aerial fire-fighting equipment. (No buildings are proposed) 4. Streets and highways, both within and in the vicinity of the development, are of such design and traffic-carrying capacity that the development will not create a traffic hazard. (Yes) 5. General layout and design of the development meet all requirements of this Ordinance. (Yes) 6. Adequate, safe and convenient provision is made for vehicular and pedestrian movement on the site with particular attention paid to the needs of public safety equipment and personnel (fire, police, etc) and service vehicles and personnel (sanitation, postal delivery, etc). (Yes) 7. The Planning Board may recommend to the Elected Body conditions as identified in Section 6-1.3(A)(1) for the issuance of the special use permit to reduce impacts associated with the project. (See “SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL” section below) <p>The Elected Body shall issue a special use permit only when the Elected Body makes an affirmative finding as follows:</p> <p><u>Elected Body Findings:</u></p> <ol style="list-style-type: none"> 1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved. (Yes) 2. That the use meets all required conditions and specifications. (Yes) 3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and, (Yes) That the location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with <i>Legacy</i>. (Yes)

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 request is generally consistent with the recommendations of <i>Legacy</i> in that it would allow for an expansion of an existing place of worship in a manner that is compatible with surrounding uses.					
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>					
<ul style="list-style-type: none"> Lighting condition Use of Large Variety Trees 						
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2685	LB to RS-9	Approved 5-3-04	60' west	.53	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Parking	Required	Proposed	Layout			
	40 spaces	40 spaces	Off-street 90° head-in parking			
Building Height	Maximum			Proposed		
	40 feet			No buildings proposed		
Impervious Coverage	Maximum			Proposed		
	NA			49%		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.2(H) RS-9 District Section 2-5.59 Parking, Off-Site, For Multifamily or Institutional Uses in RS and RM Districts Use Conditions 					
Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy</i> policies:			Yes		
	(B) <i>Environmental Ord.</i>			Yes		
	(C) Subdivision Regulations			NA		
Analysis of Site Plan Compliance with UDO Requirements	The items noted below under Remaining Site Plan Issues need to be addressed. It is anticipated the revised site plan will meet the requirements of the UDO.					
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal				Negative Aspects of Proposal		
The request is in conformance with the recommendations of <i>Legacy</i> .						
The request meets the required findings for a Special Use Permit.						
No zoning change is requested.						

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- a. Developer shall obtain WSDOT driveway permit. Improvements include:
 - Dedication of 10' additional right-of-way along Thirtieth Street.
- b. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- b. Developer shall install all requirements of the WSDOT driveway permit.

OTHER REQUIREMENTS:

- a. All on site lighting shall be a maximum of 18 feet tall and shall be of the “shoebox” type or otherwise designed not to cast direct light on adjacent properties.
- b. Developer shall install Large Variety Trees as per UDO Chapter B Section 3-4.10 (A) in required streetyards and bufferyards.

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: Clarence Lambe moved approval of the special use permit, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Paul Mullican

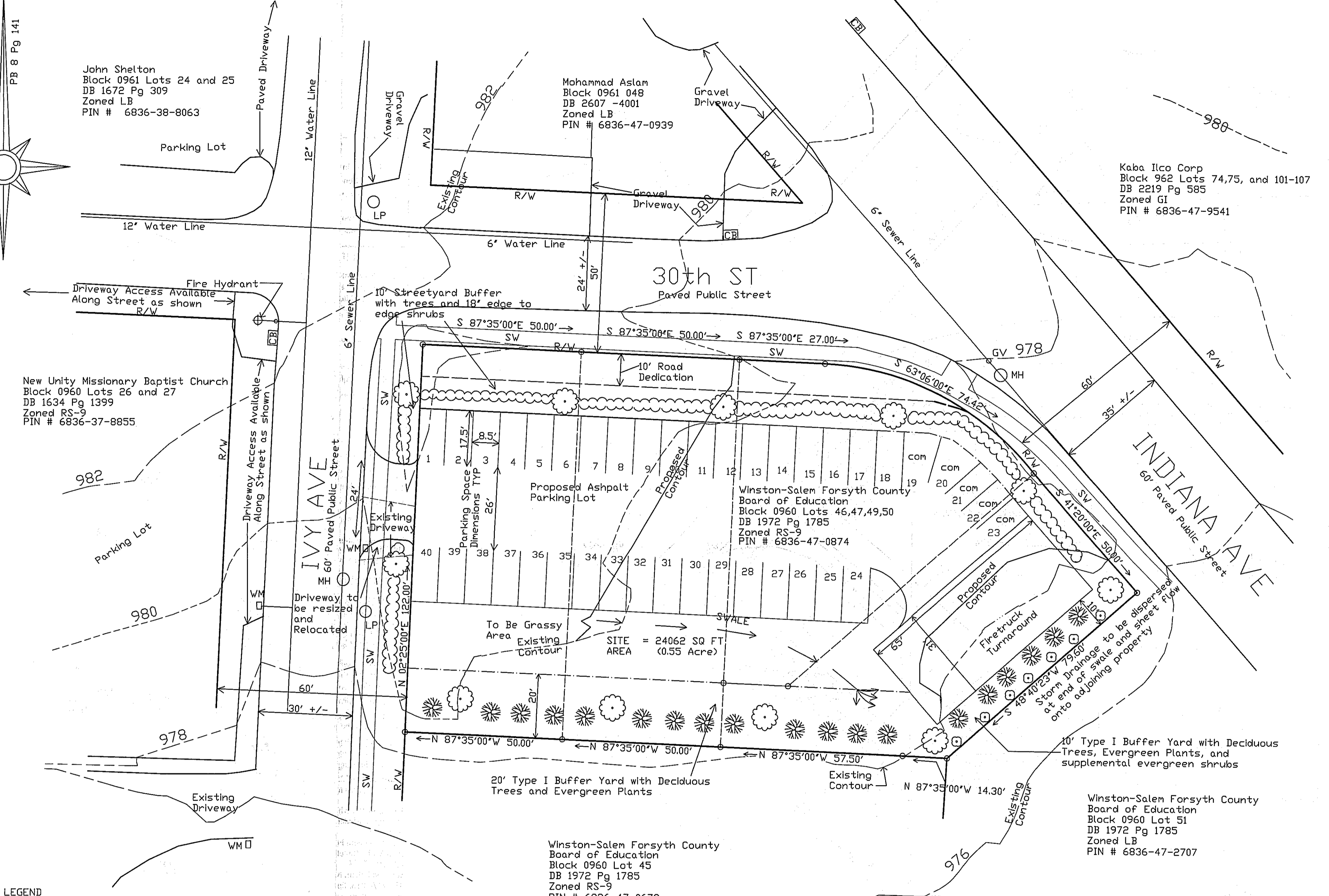
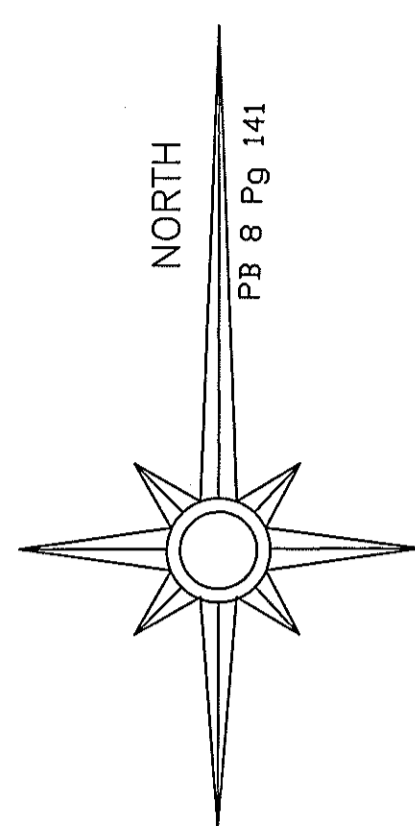
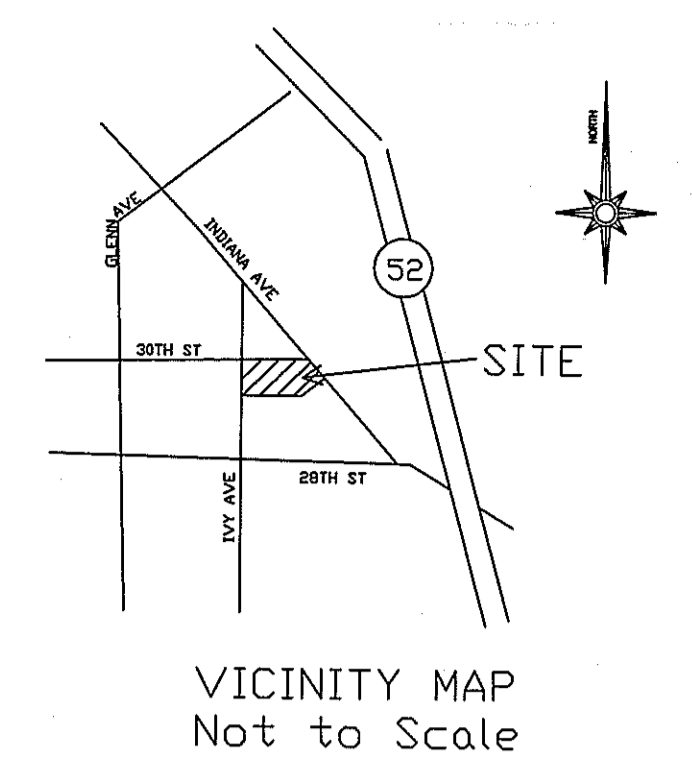
VOTE:

FOR: Jerry Clark, Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning



ZONING		OFF-STREET PARKING (if applicable)	
Existing Zoning: RS-9	Proposed Zoning: Parking Special Use Permit	Proposed Use(s): Church Parking Lot	Parking Calculation: 1 Spaces/4 Seats
(i.e. Rezoning, Planning Board Review, Preliminary Subdivision Approval, etc.)		(may be more than one calculation required)	
		Required Parking: 50 Spaces	Parking Provided: 50 Spaces
SITE SIZE AND COVERAGES		OFF-STREET LOADING (if applicable)	
Total Acreage: 0.55	Site Coverages:	Required Loading/Unloading Spaces: X	Loading/Unloading Spaces Provided: X
Building to Land: 0.00 %	Pavement to Land: 49 %	Size: ___ Ft. X ___ Ft.	
Open Space: 51 %		BUFFERYARDS (if applicable)	
Building Square Footage: 100% (Maximum) Sq.Ft.	Building Height: X Ft. or Stories	Adjoining Zoning: RS-9, LB	Type Required: TYPE I
		Width Provided: 20 Ft.	Fence Option: Yes ___ No ___
INFRASTRUCTURE		DENSITY CALCULATIONS (if applicable)	
Water: X Public ___ Private ___	Sewer: X Public ___ Private ___	Streets: X Public ___ Private ___	Number of Units or Lots: 1 Units/Lots
		Density: X Units/Acre or Lots/Acre	

This property is not located in a watershed area or a flood zone. This site is located within the City of Winston-Salem City Limits.

Purpose Statement

New Unity Baptist Church is requesting a special use permit for institution church parking in RS-9 zoning. Parking requirements for the church: 198 seats in sanctuary, 1 space required for every 4 seats = 50 required; 10 spaces are provided on site; 40 spaces are proposed off site on property leased from Winston-Salem / Forsyth County School System as shown on this drawing.

Project Description

The Parking Area consists of 12,647 SQ FT of Asphalt. The Driveway Area consists of 442 SQ FT, for a total of 13,089 SQ FT of New Asphalt to be added in this project. The 10' Streeyard is to contain Deciduous or Evergreen trees as well as natural shrubs 18" edge to edge. The minimum height of streeyard shrubs is to be 18" when planted with a minimum height of 36" three years after installation. The 20' Type I bufferyard is to contain 2 deciduous trees and 8 evergreen plants for every 100 linear feet. The 10' Type I bufferyard is to contain 2 deciduous trees, 8 evergreen plants, and 10 supplemental evergreen shrubs for every 100 linear feet.

The existing contours labeled as dashed lines are taken from the City of Winston-Salem GIS Maps and are approximate only. Solid Contour Lines represent proposed contours. The Existing Driveway on the Ivy Avenue side of the lot is to be relocated and resized. Storm water currently sheet flows off property and will continue to sheet flow off property after completion of improvements. This map is subject to all easements, agreements, and rights of way of record prior to the date of this map an not shown in a visual inspection of the premises.

Kale Engineering has not provided any surveying services for this map. The calls and distances were taken from PB 8 Pg 141. Kale Engineering is not responsible for any surveying inaccuracies. Kale Engineering is not aware of any utilities on the job site, and client has no intent of adding any new water and sewer lines. A maximum of 25% of usable parking spaces are allowed to be compact 7.5' X 15' spaces. 50 spaces * .25 = 12.5, allow 12 spaces to be compact. Compact spaces are denoted by "com" in the parking space.

This property, which is being considered for Special Use Permit is owned by the Winston-Salem Forsyth County Board of Education. They can be contacted at
 Winston-Salem Forsyth County Board of Education
 1605 Miller Street
 P.O. Box 2513
 Winston Salem, NC 27102
 336-727-2816, fax 336-727-2008
 email gmiller@wfsfcs.k12.nc.us

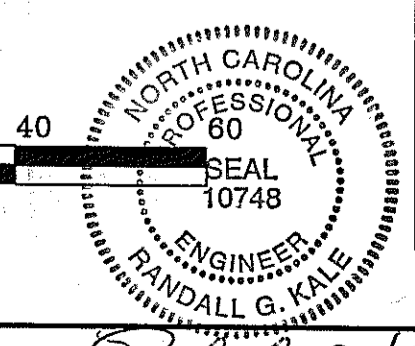
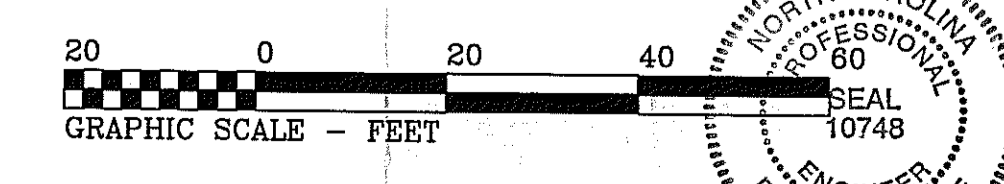
This project is being managed by Mr. David Kessler, the architect with Trinity Architecture and Planning. He can be contacted at
 Mr. David Kessler, Architect
 Trinity Architecture and Planning
 108 South Spruce Street
 Winston Salem, NC 27101
 336-777-1646

The revision dated 4-10-06 consists of revisions as requested by the planning board staff of the City of Winston-Salem. The revision dated 5-5-06 consists of revisions as requested by the planning board staff of the City of Winston-Salem. A Firetruck turnaround was added during this revision as well as adjustment of parking.

- LEGEND**
- O Property Corner
 - MH Man Hole
 - FH Fire Hydrant
 - R/W Right of Way
 - GV Gas Valve
 - WM Water Meter
 - LP Light Pole
 - CB Catch Basin
 - SW Sidewalk
 - com Compact Car Parking Space

The street address for this church is
 New Unity Missionary Baptist Church
 2946 Ivy Avenue
 Winston Salem, N.C. 27105
 336-721-1199

See DB 1972 Pg 1785	
Date	Special Use Permit Map For
3-31-06	NEW UNITY MISSIONARY
4-10-06	BAPTIST CHURCH
5-5-06	Block 0960 Lots 46,47,49,50
	2946 Ivy Avenue
	Winston Salem, N.C. 27105
	336-721-1199
Kale Engineering	
3550 Vest Mill Road	
Winston Salem, N.C. 27103	
Phone: (336) 768-0250	Fax: (336) 768-0251
Scale 1"=20'	Drawn By KB
	Job 06030
	Ck By 06030.dwg



W-2860 "REVISED"
 ZONING File Copy