

DOCKET #: W2928

PROPOSED ZONING:
Special Use Permit for the expansion of Institutional parking in a residential zoning district

EXISTING ZONING:
RS12

PETITIONER:
South Fork Church of Christ for property owned by Multiple Owners

SCALE: 1" represents 300'

STAFF: Roberts

GMA: 2

ACRES: 3.93

NEAREST BLDG: 35' west

MAP(S): 612854



May 14, 2007

South Fork Church of Christ
c/o John Ted Stewart, Trustee
205 Keating Drive
Winston-Salem, NC 27106

RE: ZONING MAP AMENDMENT W-2928

Dear Mr. Stewart:

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
Scott Miller, 140 Club Oaks Court, Winston-Salem, NC 27104
Dustin Swain, 140 Club Oak Court, Winston-Salem, NC 27104
Ted Stewart, 7185 Franklin Road, Lewisville, NC 27023

ACTION REQUEST FORM

DATE: May 23, 2007
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 South Fork Church of Christ, the Church of Christ at South Fork, the Elders of the Church of Christ at South Fork, and the South Fork Church of Christ Trustees

SUMMARY OF INFORMATION:

Special Use Permit of South Fork Church of Christ, the Church of Christ at South Fork, the Elders of the Church of Christ at South Fork, and the South Fork Church of Christ Trustees for the expansion of Institutional parking in a RS-12 zoning district (Zoning Docket W-2928).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - SPECIAL USE PERMIT

Special Use Permit of South Fork Church of Christ, the Church of Christ at South Fork, the Elders of the Church of Christ at South Fork, and the South Fork Church of Christ Trustees, Docket W-2928

AN ORDINANCE ISSUING A SPECIAL USE PERMIT FOR THE EXPANSION OF INSTITUTIONAL PARKING IN A RS-12 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 RS-12 zoning district in accordance with Section 6-1.5 of the Zoning Ordinance of the *Unified Development Ordinances* to South Fork Church of Christ, the Church of Christ at South Fork, the Elders of the Church of Christ at South Fork, and the South Fork Church of Christ Trustees to be established on the following described property:

Tax Block 2094, Tax Lots 20R, 21R, 22R, 23R, 24R, 25R, and 26R
Tax Block 1483, Tax Lots 8, 9, 102B, 103, and 104

Section 3. This Ordinance is adopted after approval of the site plan entitled South Fork Church of Christ and identified as Attachment "A" of the Special Use Permit issued by the City Council the _____ day of _____, to South Fork Church of Christ, the Church

of Christ at South Fork, the Elders of the Church of Christ at South Fork, and the South Fork Church of Christ Trustees

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 South Fork Church of Christ. 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 South Fork Church of Christ, the Church of Christ at South Fork, the Elders of the Church of Christ at South Fork, and the South Fork Church of Christ Trustees, (Zoning Docket W-2829). 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 RS-12 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 6-1.5 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.
 - 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 BUILDING PERMITS:**
 - a. All site lighting shall have a maximum height of 20 feet. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights shall not produce more than ½ foot candle of light at the property line.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Developer shall install all requirements of the WSDOT driveway permit.
 - b. Certification from a qualified professional must be submitted certifying that the lighting was installed in accordance with the approved plan and the above noted condition.

- **OTHER REQUIREMENTS:**
 - a. 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 REPORT**

PETITION INFORMATION			
Docket #	W-2928		
Staff	Gary Roberts, AICP		
Petitioner(s)	South Fork Church of Christ		
Owner(s)	Same		
Subject Property	Tax Lots 20R, 21R, 22R, 23R, 24R, 25R, and 26R / Tax Block 2094 and Tax Lots 8, 9, 102B, 103, and 104 / Tax Block 1483		
Type of Request	Special Use Permit for the expansion of institutional parking in a residential zoning district (RS-12)		
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-12). 		
GENERAL SITE INFORMATION			
Location	West side of Keating Drive, south of Royalton Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	Southwest		
Site Acreage	Approximately ± 3.7 acres for the entire church site		
Current Land Use	Site has recently been cleared and graveled for the proposed parking.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-12	Single family homes
	East	RS-12	South Fork Church of Christ
	South	RS-12	Single family homes
	West	LO-S	Small scale office
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	<p>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</p> <p>The proposed parking, with some additional landscaping and a lighting condition, is generally compatible with the surrounding single family residential and institutional land uses.</p>		
Physical Characteristics	The site has a gentle slope downward to the west.		
Proximity to Water and Sewer	Public water and sewer are available to the site.		
Storm water/ Drainage	The site plan states that storm water is to be dispersed by sheet flow at the western portion of the site. Based on a recommendation from the Engineering Division, the revised site plan includes a drainage swale to Silas Creek Parkway. 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	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>			
	<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
Keating Drive	Local Street	115'	NA	NA
Proposed Access Point(s)	Keating Drive			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS-12</u> 23,000 / 12,000 = 1unit x 9.57 (SFR Trip Rate) = 10 Trips per Day <u>Proposed Zoning:</u> No trip generation numbers available			
Sidewalks	No sidewalks are located in the general area.			
Transit	Route 12 along Country Club Road.			
Analysis of Site Access and Transportation Information	The proposed parking lot is interconnected with the existing parking lot to the north and proposes a new entrance onto Keating Drive.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>			
	<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	<i>Legacy</i> 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)	The subject property is not within the boundaries of an area plan or development guide.			
Other Applicable Plans and Planning Issues	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: <u>Planning Board Findings:</u> <ol style="list-style-type: none"> 1. The development is in conformity with <i>Legacy</i>. (<i>Yes</i>) 2. Water and sewer service are available in adequate capacity. (<i>Yes</i>) 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. (<i>No buildings are proposed</i>) 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. (<i>Yes</i>) 5. General layout and design of the development meet all requirements of this Ordinance. (<i>Yes</i>) 6. Adequate, safe and convenient provision is made for vehicular and pedestrian movement on the site with particular attention paid to the 			

	<p>needs of public safety equipment and personnel (fire, police, etc) and service vehicles and personnel (sanitation, postal delivery, etc). <i>(Yes)</i></p> <p>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. <i>(See "SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL" section below)</i></p> <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. <i>(Yes)</i> 2. That the use meets all required conditions and specifications. <i>(Yes)</i> 3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and, <i>(Yes)</i> 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 <i>Legacy</i>. <i>(Yes)</i> 					
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 generally 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-2711	RS-12 to RM8-S	Approved 8-2-04	550' north	6.52	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Parking	Required	Proposed		Layout		
	90 spaces for the church	42 new spaces for a total of 184 spaces		Off-street 90° head-in parking		
Building Height	Maximum			Proposed		
	40 feet			No buildings proposed		

Impervious Coverage	Maximum	Proposed
	60%	54.7%
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.2(G) RS-12 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>	NA
	(C) Subdivision Regulations	NA
Analysis of Site Plan Compliance with UDO Requirements	Revised site plan meets 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> .		Request would allow for the expansion of a parking lot near single family homes.
The request meets the required findings for a Special Use Permit.		
No zoning change is requested.		
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.		
<u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u>		
<ol style="list-style-type: none"> Developer shall obtain WSDOT driveway permit. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. 		
<u>PRIOR TO THE ISSUANCE OF BUILDING PERMITS:</u>		
<ol style="list-style-type: none"> All site lighting shall have a maximum height of 20 feet. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights shall not produce more than ½ foot candle of light at the property line. 		
<u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u>		
<ol style="list-style-type: none"> Developer shall install all requirements of the WSDOT driveway permit. Certification from a qualified professional must be submitted certifying that the lighting was installed in accordance with the approved plan and the above noted condition. 		
<u>OTHER REQUIREMENTS:</u>		
<ol style="list-style-type: none"> 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: Jerry Clark moved approval of the zoning map amendment, 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, Lynne Mitchell, Paul Mullican

AGAINST: Carol Eickmeyer

EXCUSED: None

Written comments submitted by Planning Board members:

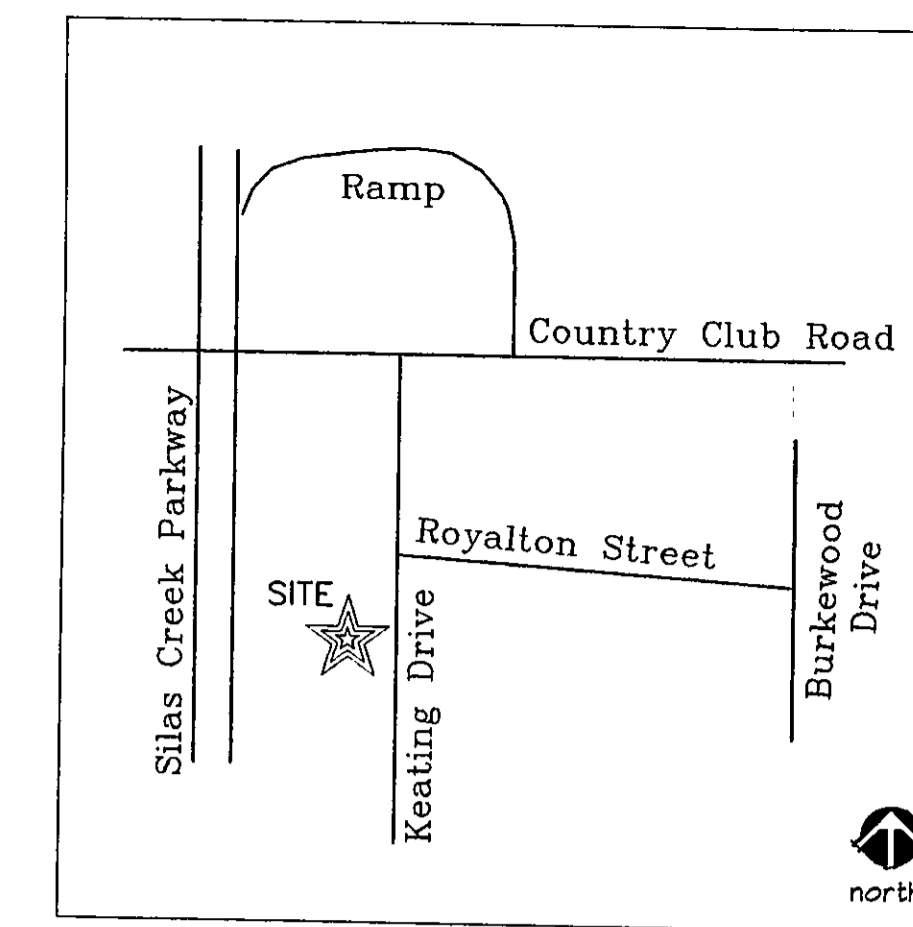
Carol Eickmeyer: Against - because the church did not follow our process of rezoning, the neighbors did not have a chance to speak about the change - yet the clearing of house and trees does change the look of the neighborhood - Had they not been caught, they would not even be here. There should be a way to discourage this sort of after-the-fact zoning.

A. Paul Norby, FAICP
Director of Planning

Re-Combination Legend:

PIN #	BLOCK # / TAX LOT
PIN # 6815-34-3621	2094 IIR, 12R
PIN # 6815-34-4596	2094 20R, 21R, 22R
PIN # 6815-34-4628	2094 25R, 24R, 25R, 26R
PIN # 6815-34-1121	1483 00B, 00A
PIN # 6815-34-1630	1483 102B
PIN # 6815-34-1594	1483 103
PIN # 6815-34-2407	1483 104
PIN # 6815-34-8711	1483 101, 102A
TOTAL SITE AFTER RE-COMBINATION: ± 3.97 ACRES LOT 1: 2.234 ACRES LOT 2: 0.275 ACRES LOT 3: 1.459 ACRES	

NOTE:
ENTIRE SOUTH FORK CHURCH OF CHRIST PROPERTY IS CURRENTLY BEING COMBINED INTO ONE PLAT. CALCULATIONS ARE BASED ON LOTS 1 AND 3 OF THE RECOMBINATION PLAT.



Vicinity Map
Not to scale

MILLER LANDSCAPE ARCHITECTURE
TURNING LAND INTO LANDMARKS
140 Club Oaks Court, Suite B
Winston-Salem, NC 27104
(336) 765-1923
fax: (336) 765-5023
mia@millerla.com

South Fork Church of Christ
205 Keating Drive
Winston-Salem, NC

Site Information:

PARKING LOT EXPANSION AREA:
TAX BLOCK 2094 LOTS 20R, 21R, 22R
DB 2545 PG 136
PIN # 6815-34-4596
210 KEATING DRIVE
WINSTON-SALEM, NC

THIS SITE IS NOT WITHIN A REGULATED WATERSHED AREA

Owner & Petitioner:

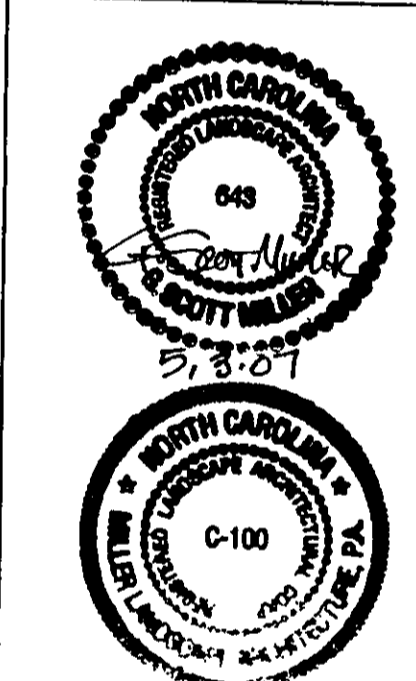
SOUTH FORK CHURCH OF CHRIST
CONTACT: TED STEWART (TRUSTEE)
205 KEATING DRIVE
WINSTON-SALEM, NC 27104
336-768-0248 (phone)
336-768-2178 (fax)

Landscape Architect:

SITEPLAN PREPARED BY:
MILLER LANDSCAPE ARCHITECTURE, P.A.
140 CLUB OAKS COURT, SUITE B
WINSTON-SALEM, N.C. 27104
PHONE: 336-765-1923
FAX: 765-5023
E-MAIL: mia@millerla.com

Site Plan Legend:

ZONING Jurisdiction: City of Winston-Salem Existing Zoning: RS12 Proposed Zoning: RS12 Type of Review Requested: Special Use Permit	OFF-STREET PARKING Proposed Use: Church - Neighborhood Scale Use Allowed: Yes Parking Calculation: 1 space / 4 seats Required Parking: 360 seats=90 spaces Parking provided: 171 Spaces
SITE SIZE AND COVERAGES Total Acreage: Lots 1 & 3 3.70 Acres 0.55 Acres in parking expansion parcel Site Coverages: Lots 1 & 3 Building to Land: 10.2% Other Impervious: 44.3% Open Space: 45.5% TOTAL 100% Total Impervious Surface: 54.5% Maximum Allowed: 60% Building Square Footage: N/A Building Height: N/A	OFF-STREET LOADING Required Loading/Unloading Spaces: 0 Loading/Unloading Spaces Provided: 0 Size: 12' x 65'
INFRASTRUCTURE Water: Public Sewer: Public Streets: Keating Drive - Public	BUFFERYARDS Adjoining Zoning: RS12 Type Required: 15' parking setback Type I planting buffer 10' streetyard along Keating Drive Width Provided: 15' Fence Option: No
PURPOSE STATEMENT The purpose of this request is to obtain a Special Use Permit for parking lot expansion on tax lots 20R, 21R, and 22R within the RS12 zoning.	
OTHER NOTES A recombination plat is currently being performed on the entire South Fork Church of Christ property (see Lots 1, 2, and 3 on map). This plat will be submitted for Minor Subdivision Review concurrently with this request for Special Use Permit. Above calculations are based on Lots 1 and 3 (3.70 acres total/see table). Lot 2 excluded (one residential dwelling allowed on church lot).	



Date: April 9, 2007

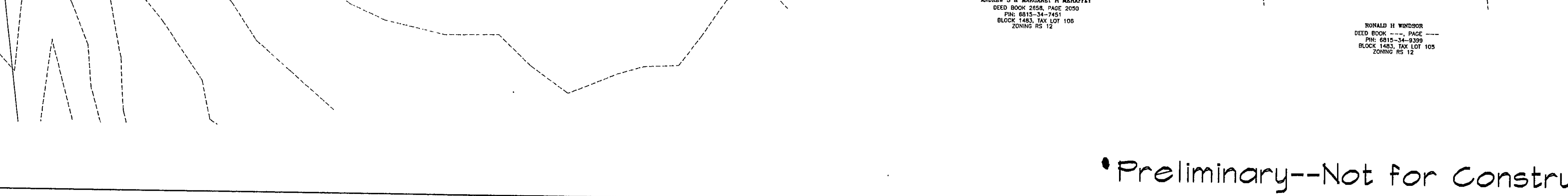
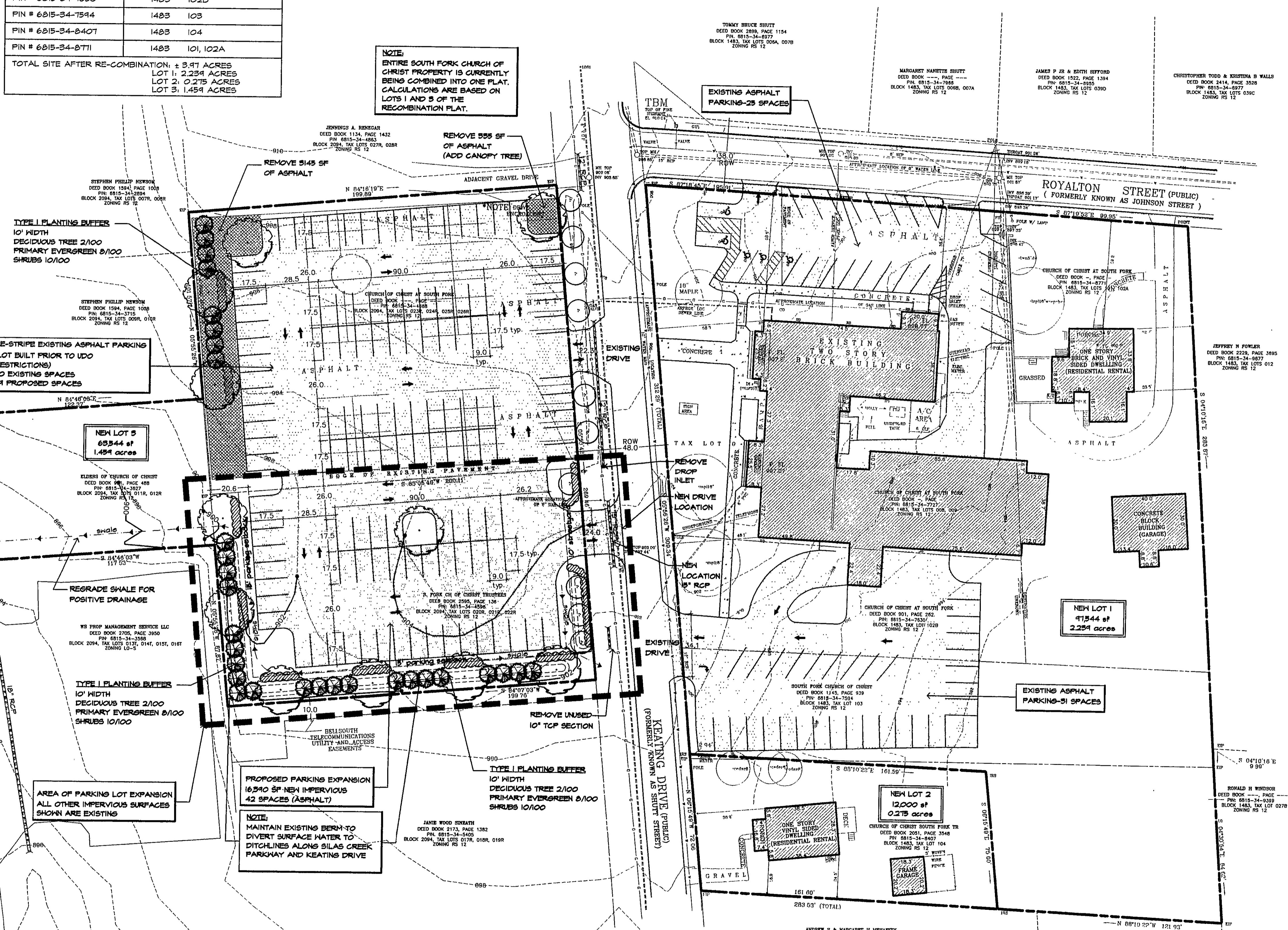
Revisions:
5/4/07 Site Plan Review
Committee Comments

Drawn By: DTS
Checked By: GSM
Project #:

Sheet Title
Site Plan
Special Use
Permit

W-2928 Proposed

Sheet: SUP-1



Preliminary--Not for Construction

ZONING File Copy