

DOCKET #: W2690

PROPOSED ZONING:

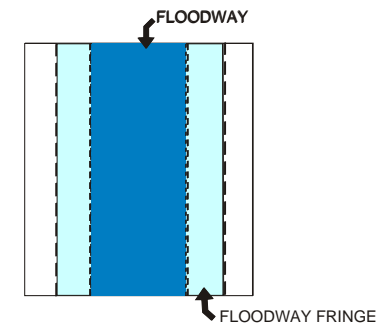
Special Use
Permit for parking

EXISTING ZONING:

RS-9 and HB

PETITIONER:

John Wesley A.M.E.
Zion Church for
property owned by Same



SCALE: 1" represents 200'

STAFF: Hall

GMA: 2

ACRE(S): 0.69

MAP(S): 636862



April 21, 2004

Trustees of John Wesley AME Zion Church
1800 25th Street
Winston-Salem, NC

RE: SPECIAL USE PERMIT W-2690

Dear Trustees:

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, AICP
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102
Clay V. Fulton, 1593 Piney Grove Road, Kernersville, NC 27284

ACTION REQUEST FORM

DATE: April 21, 2004
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Special Use Permit of John Wesley A.M.E. Zion Church

SUMMARY OF INFORMATION:

Special Use Permit of John Wesley A.M.E. Zion Church for the Expansion of Institutional Parking in a RS-9 Zoning District: property is located at the southeast corner of Twenty-Fifth Street and Bowen Boulevard; property consists of 0.69 acre. (Zoning Docket W-2690).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE PERMIT

Special Use Permit of John Wesley A.M.E. Zion Church,
Docket W-2690

AN ORDINANCE ISSUING A SPECIAL USE
PERMIT FOR the Expansion of Institutional Parking
in a RS-9 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-9 Zoning District in accordance with Section 6-1.5 of the Zoning Ordinance of the *Unified Development Ordinances* to John Wesley A.M.E. Zion Church to be established on the following described property:

Tax Block 1206, Tax Lots B, 101, 201, and 202

Section 3. This Ordinance is adopted after approval of the site plan entitled John Wesley A.M.E. Zion Church and identified as Attachment "A" of the Special Use Permit issued by the City Council on the _____ day of _____, to John Wesley A.M.E. Zion Church.

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 John Wesley A.M.E. Zion Church. 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 John Wesley A.M.E. Zion Church for the Expansion of Institutional Parking in a RS-9 Zoning District, (Zoning Docket W-2690). The site shall be developed in accordance with the plan approved by the Council and bearing the inscription: "Attachment A, Special Use Permit for John Wesley A.M.E. Zion Church for the Expansion of Institutional Parking in a RS-9 Zoning District, approved by the Winston-Salem City Council the _____ day of _____, 19____" and signed, provided the property is developed in accordance with requirements of Section 3-3.4(A) of the Zoning Ordinance of the *Unified Development Ordinances*, and other applicable laws, and the following additional conditions be met:

There are no additional site plan conditions.

ZONING STAFF REPORT

DOCKET # W-2690
STAFF: Suzy Gallaway

Petitioner(s): John Wesley AME Zion Church
Ownership: Same

REQUEST

Special Use Permit to expand parking for the use Church, Or Religious Institution, Neighborhood in a RS-9 zoned property

Acreage: 0.69 acre

LOCATION:

Street: East side of Bowen Boulevard and south side of Twenty-Fifth Street.
Jurisdiction: City of Winston-Salem.
Ward: Northeast.

SITE PLAN

Proposed Use: Institutional Parking.
Parking: Required: 28 Spaces; proposed: 28 spaces.
Bufferyard Requirements: 15 foot type I where adjacent to residential zoning.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Three (3) houses recently removed from site.

Adjacent Uses:

North-	Single family homes, zoned RM-18 and RS-9.
East-	Single family homes, zoned RS-9.
South-	Single family homes, zoned RS-9.
West-	Bowen Park, zoned IP.

GENERAL AREA

Character/Maintenance: Mixture of Institutional Uses, Single Family and Multifamily, moderately to well maintained
Development Pace: Moderate

TRANSPORTATION

Direct Access to Site: Twenty-Fifth Street; Bowen Boulevard

Street Classification: Twenty-Fifth Street – Local Road; Bowen Boulevard – Minor Thoroughfare

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Bowen Boulevard between Twenty-Fifth Street and Attucks Street = 3,600/16,100

Sidewalks: Existing along both sides of Twenty-Fifth Street, west side of Bowen Boulevard and the City is in the process of installing sidewalks on the east side of Bowen Boulevard

Transit: Route 2 along Twenty-Fifth Street

Bicycle Route: Route 7, Twenty-Fifth Street Connector, and Route 11, East Winston Loop, along Bowen Boulevard.

ANALYSIS

The request is for a Special Use Permit to expand Institutional parking into a residential zoning district. The site is located on the east side of Bowen Boulevard south of Twenty-Fifth Street. The subject request would provide off-street parking to a Church currently relying predominantly on on-street parking.

The Interdepartmental Site Plan Review Committee had several concerns regarding width of access and the parking lot layout after review of the original site plan. The site plan preparer has met with staff to address these concerns. He was agreeable to making revisions to address said concerns. The site plan preparer submitted revisions to the site plan which addressed the concerns.

Based upon the following findings as required by the UDO , staff supports the subject Special Use Permit request.

FINDINGS OF FACT

According to Section 6-1.5(D) of the zoning ordinance of the UDO, the Planning Board must make the following findings in support of a favorable recommendation.

1. The development is in conformity with *Legacy* as it relates to the specific area; Planning Staff: Yes.
2. Water and sewer are available in adequate capacity; Yes.
3. Where buildings greater than thirty-five (35) feet are proposed within the City of Winston-Salem limits, there is adequate access for aerial fire-fighting equipment; Yes.

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. *The requested access is onto John Street that has adequate capacity for the anticipated traffic volumes associated with the proposed request.*
5. General layout and design of this 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; N/A. *Staff does not recommend any conditions beyond UDO requirements.*

In addition to these seven findings by the Planning Board, the Winston-Salem City Council must make affirmative findings as follows to issue a special use permit [Section 6-1.5(F) of the *Zoning Ordinance* of the UDO]:

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; Yes.
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*; Yes.

STAFF RECOMMENDATION

Zoning: **APPROVAL.**

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions:

There are no additional site plan conditions.

Public Hearing

FOR: None

AGAINST: None

Work Session

MOTION: Jerry Clark moved approval of the special use permit.

SECOND: Paul Mullican

VOTE:

FOR: Clark, Eickmeyer, Glenn, King, Lambe, Mullican, Norwood, Smith

AGAINST: None

A. Paul Norby, AICP
Director of Planning