

DOCKET #: W2705

PROPOSED ZONING:
Special Use Permit to allow the expansion of institutional parking into RS-9 zoning.

EXISTING ZONING:
RS9

PETITIONER:
Unity Church of Winston-Salem for property owned by Same

SCALE: 1" represents 200'

STAFF: Gallaway

GMA: 3

ACRE(S): 0.38

MAP(S): 606838



June 23, 2004

Unity Church in Winston-Salem
c/o Alice E. Parrish
108 Hewes Street
Winston-Salem, NC 27103

RE: SPECIAL USE PERMIT W-2705

Dear Ms. Parrish:

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

ACTION REQUEST FORM

DATE: June 23, 2004
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on Special Use Permit of Unity Church of Winston-Salem for the expansion of Institutional Parking in a RS-9 Zoning District

SUMMARY OF INFORMATION:

Special Use Permit of Unity Church of Winston-Salem for the expansion of Institutional Parking in a RS-9 Zoning District: property is located on the northwest corner of Stratford Road and Hewes Street (Zoning Docket W-2705).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE PERMIT

Special Use Permit of Unity Church of Winston-Salem,
Docket W-2705

AN ORDINANCE ISSUING A SPECIAL USE
PERMIT FOR 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 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 Unity Church of Winston-Salem to be established on the following described property:

Tax Block 2227, Lot 103B

Section 3. This Ordinance is adopted after approval of the site plan entitled Unity Church of Winston-Salem and identified as Attachment "A" of the Special Use Permit issued by the Board of Aldermen the _____ day of _____, to Unity Church of Winston-Salem

Section 4. The Board of Aldermen 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 Unity Church of Winston-Salem. 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 Unity Church of Winston-Salem, (Zoning Docket W-2705). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use Permit for Institutional Parking in a RS-9 Zoning District, approved by the Winston-Salem Board of Aldermen the _____ day of _____, 19____" and signed, provided the property is developed in accordance with requirements of RS-9 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 have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Developer shall install or post a bond for sidewalks along the property's entire frontage on both Stratford Road and Hewes Street to the specifications of the Public Works Department of the City of Winston-Salem.
 - b. Developer must improve Hewes Street from Stratford Road to their driveway with curb and gutter 13' from center to the specifications of the Public Works Department of the City of Winston-Salem.

- **PRIOR TO THE SIGNING OF PLATS**
 - a. Negative access easements shall be shown on the final plats along Stratford Road.

ZONING STAFF REPORT

DOCKET # W-2705
STAFF: Suzy Gallaway

Petitioner(s): Unity Church of Winston-Salem
Ownership: Same

REQUEST

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

Acreage: 0.38 acre

LOCATION:

Street: Northeast corner of Hewes Street and Stratford Road
Jurisdiction: City of Winston-Salem
Ward: Southwest

SITE PLAN

Proposed Use: Institutional Parking
Parking: Required: 82 Spaces; Proposed: 82 Spaces
Bufferyard Requirements: Type II where adjacent to residential zoning
Vehicular Use Landscaping Standards Requirements: UDO Standards apply

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is vacant

Adjacent Uses:

- Northeast- Stratford Gardens Apartments, zoned RM-18-S
- Southeast- Industrial facilities, zoned GI
- Southwest- Nursery, zoned HB-S
- West- Commercial/Office buildings, zoned HB-S and LB

GENERAL AREA

Character/Maintenance: Well-maintained mixture of commercial and residential uses
Development Pace: Moderate

TRANSPORTATION

Direct Access to Site: Stratford Road; Hewes Street

Street Classification: Stratford Road – Major Thoroughfare; Hewes Street – Local Road

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

Stratford Road between Burke Mill Road and Somerset Drive = 23,000 / 42,200

Trip Generation/Existing Zoning: RS-9: $.38 \times 43,560 / 9,000 = 1 \text{ unit} \times 9.57 \text{ (SFR Trip Rate)} = 9$
Trips per Day

Trip Generation/Proposed Zoning: Special Use Permit: No trip generation rates available for parking lot

Transit: Route 19 along Stratford Road, adjacent to site.

ANALYSIS

The request is for a Special Use Permit to expand Institutional parking into a residential zoning district. The site is located on the northeast corner of Hewes Street and Stratford Road. The subject request would provide additional off-street parking to a neighborhood scale church in the process of expansion.

Based upon the following findings as required by the UDO along with staff's conditional recommendation for approval, 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.
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; Yes. (See attached site plan conditions)

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:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
 - a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
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- **PRIOR TO THE SIGNING OF PLATS**
 - a. Negative access easements shall be shown on the final plats along Stratford Road.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Dara Folan moved approval of the Special Use Permit, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Jerry Clark

VOTE:

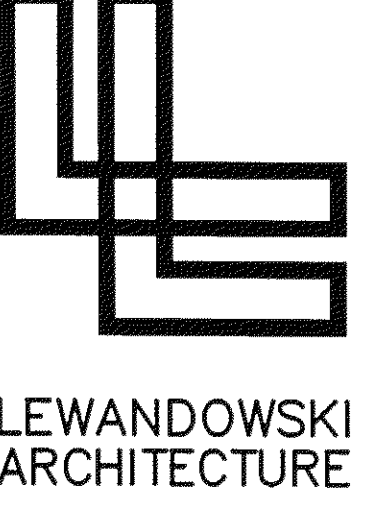
FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Norwood, Smith

AGAINST: None

EXCUSED: None

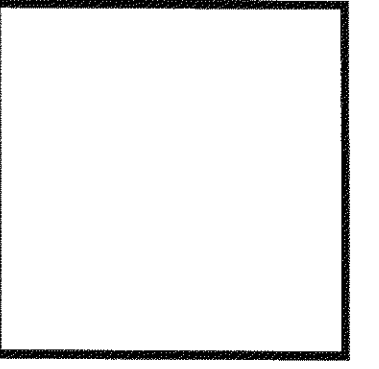
A. Paul Norby, AICP
Director of Planning

SCALE: 1" = 20'
 20 0 20
 SCALE OF MAP MAY BE REDUCED
 DUE TO METHODS OF REPRODUCTION.



1016 W. Fifth St.
 Winston-Salem, NC 27101
 Tel. 336 724-6644
 Fax 336 722-3542

UNITY CHURCH
 OF WINSTON-SALEM

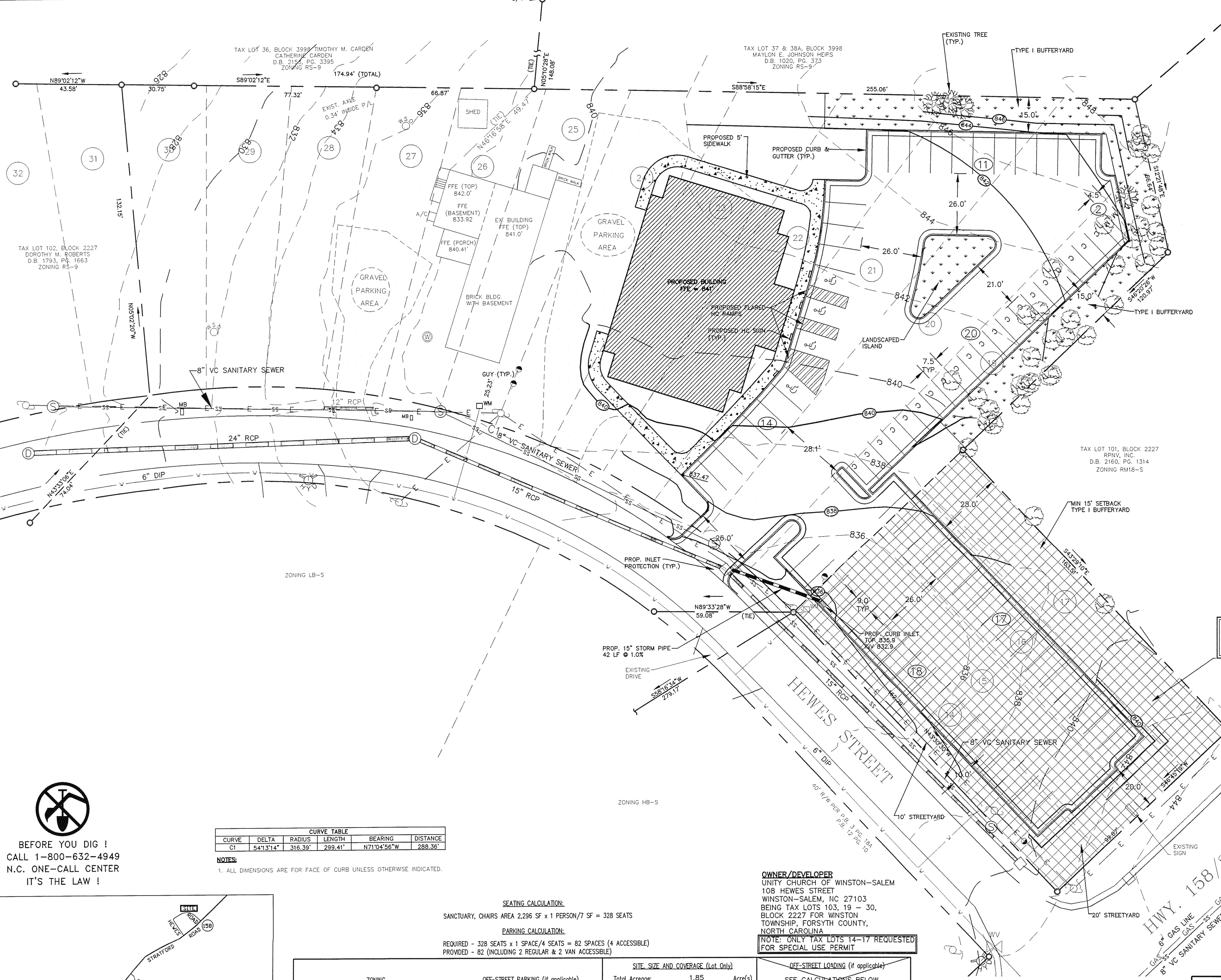


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DRAWING SCALE: _____
 PROJECT NUMBER: _____
 FILENAME: _____
 DATE: _____
 SHEET TITLE: W-2705

SHEET NUMBER
1
 OF 1

- LEGEND**
- STORMWATER MANHOLE
 - SANITARY SEWER MANHOLE
 - LIGHT
 - SIGN
 - FIRE HYDRANT
 - MAILBOX
 - POWER POLE
 - GUY WIRE
 - WATER METER
 - OAK TREE
 - PINE TREE
 - WATER SPIGOT
 - WELL
 - WATER LINE
 - SEWER LINE
 - OVERHEAD POWER
 - GAS LINE
 - PROPERTY LINE
 - STORMWATER LINE
 - EXISTING IRON PIN
 - WATER VALVE
 - CLEAN OUT
 - GRAVEL AREA



CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	BEARING	DISTANCE
C1	54°13'14"	316.39'	299.41'	N71°04'56"W	288.36'

NOTES:
 1. ALL DIMENSIONS ARE FOR FACE OF CURB UNLESS OTHERWISE INDICATED.

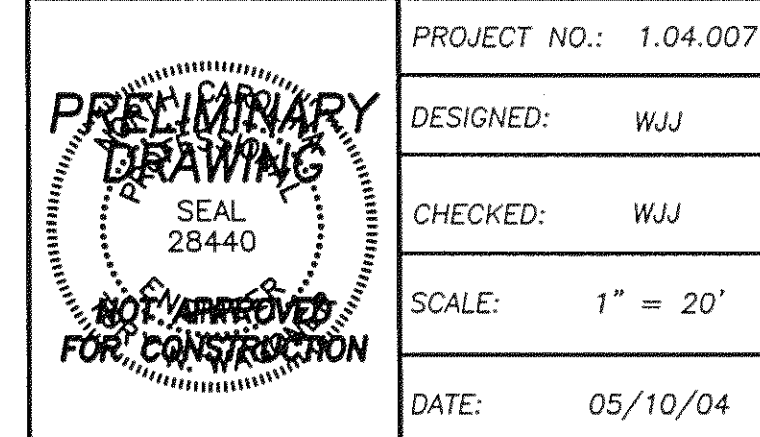
SEATING CALCULATION:
 SANCTUARY, CHAIRS AREA 2,296 SF x 1 PERSON/7 SF = 328 SEATS

PARKING CALCULATION:
 REQUIRED - 328 SEATS x 1 SPACE/4 SEATS = 82 SPACES (+ ACCESSIBLE)
 PROVIDED - 82 (INCLUDING 2 REGULAR & 2 VAN ACCESSIBLE)

OWNER/DEVELOPER
 UNITY CHURCH OF WINSTON-SALEM
 108 HEWES STREET
 WINSTON-SALEM, NC 27103
 BEING TAX LOTS 103, 19 - 30,
 BLOCK 2227 FOR WINSTON
 TOWNSHIP, FORSYTH COUNTY,
 NORTH CAROLINA

NOTE: ONLY TAX LOTS 14-17 REQUESTED FOR SPECIAL USE PERMIT

ZONING	OFF-STREET PARKING (if applicable)	SITE SIZE AND COVERAGE (Lot Only)	OFF-STREET LOADING (if applicable)
Existing Zoning: RS-9 Proposed Zoning: RS-9 Type of Review Requested: SPECIAL USE PERMIT (i.e. Rezoning, Planning Board Review, Preliminary Subdivision Approval, etc.)	Proposed Use(s): _____ SEE CALCULATIONS ABOVE Required Parking: 82 Spaces Parking Provided: 82 Spaces	Total Acreage: 1.85 Acre(s) Site Coverage: 10% Building to Land: 35% Pavement to Land: 55% Open Space: _____ TOTAL: 100% Building Square Footage: 5,472 Sq. Ft. Building Height: 1 Ft.-or-Stories	SEE CALCULATIONS BELOW Size: _____ Ft. x _____ Ft. BUFFERYARDS (if applicable) Adjoining Zoning: RM18-S Type Required: TYPE II Width Provided: 15' Ft. Fence Option: _____ Yes _____ No
WATERSHED CALCULATIONS (Total Project) Total Site Square Footage: 80,586 Sq. Ft. Less: Existing Built Upon Area: 2,825 Sq. Ft. Vacant Land Area: 77,761 Sq. Ft. Maximum New Built Upon Area: _____ Sq. Ft.	Total Maximum Coverage: 36,420 Sq. Ft. Proposed Built Upon Area: 33,595 Sq. Ft.	INFRASTRUCTURE Water: _____ X _____ Public _____ Private Sewer: _____ X _____ Public _____ Private Streets: _____ X _____ Public _____ Private	DENSITY CALCULATIONS (if applicable) Number of Units or Lots: _____ Units/Lots Density: _____ Units/Acre or Lots/Acre

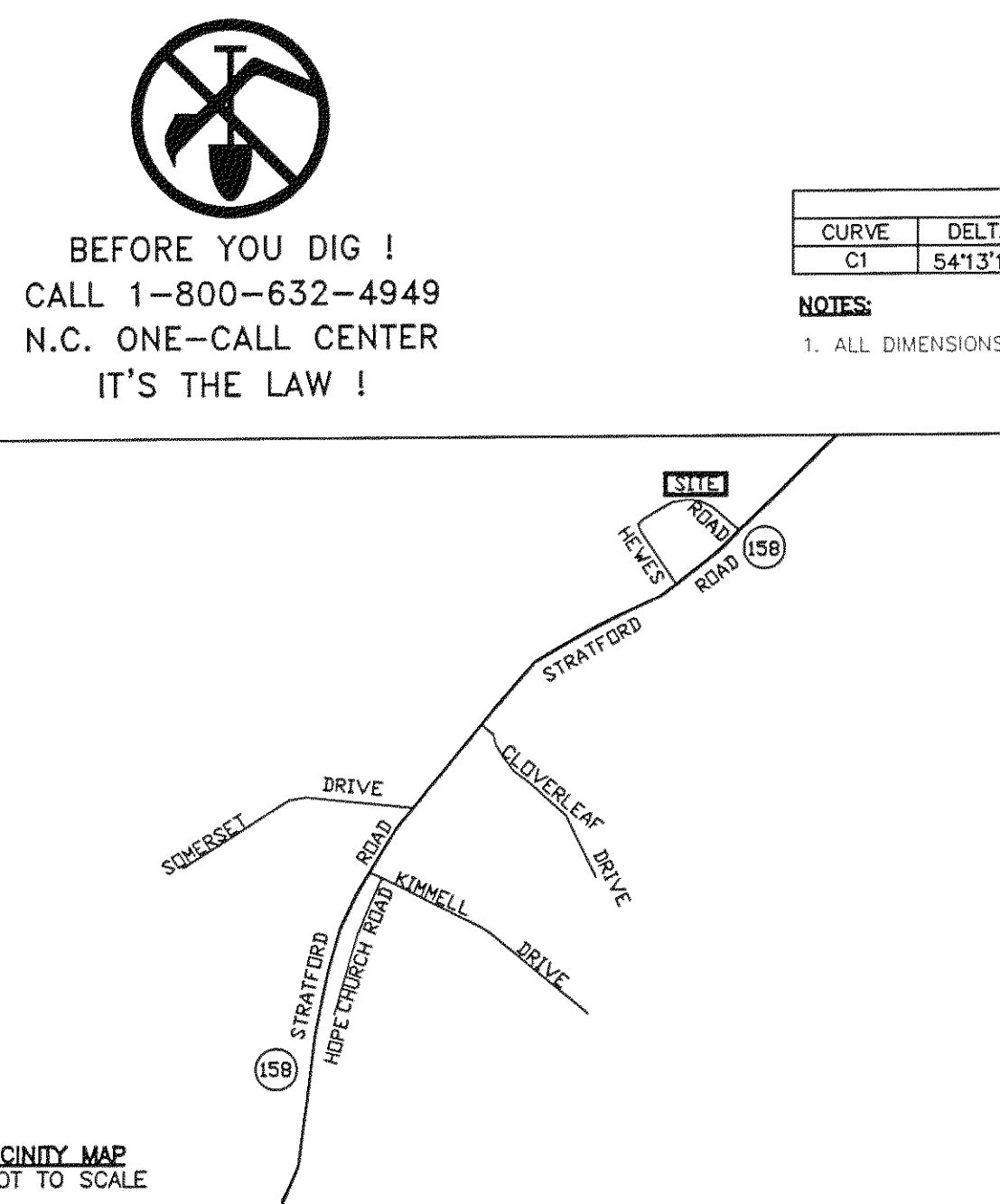


PROJECT NO.: 1.04.007
 DESIGNED: WJJ
 CHECKED: WJJ
 SCALE: 1" = 20'
 DATE: 05/10/04

SPECIAL USE - SITE PLAN

Solutions through integrity and partnership

Cavanaugh & Associates, P.A. 306 West 4th Street, Winston-Salem, NC 27101 336/759-9001 fax: 336/759-1005 www.cavanaughassociates.com



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