



DOCKET #: W2632

PROPOSED ZONING:
IP-S (Church or Religious
Institution, Neighborhood)

EXISTING ZONING:
RS9

PETITIONER:
Old Town Baptist Church

SCALE: 1" represents 200'

STAFF: Gallaway

GMA: 3

ACRE(S): 4.87

MAP(S): 600874 and 606874



July 23, 2003

Old Town Baptist Church, Inc.
4386 Shattalon Drive
Winston-Salem, NC 27106

RE: ZONING MAP AMENDMENT W-2632

Dear Sirs:

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
Stuart Hile, 4361 Rustic Road, Winston-Salem, NC 27106

ACTION REQUEST FORM

DATE: July 23, 2003
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Old Town Baptist Church, Inc.

SUMMARY OF INFORMATION:

Zoning map amendment of Old Town Baptist Church, Inc. from RS-9 to IP-S (Church or Religious Institution, Neighborhood): property is located at the northeast corner of Rustic Road and Welcome Drive; property consists of ±4.87 acres and is Tax Lot 2A, Tax Block 3469 as shown on the Forsyth County Tax Maps and on a site plan on file in the office of the City-County Planning Board (Zoning Docket W-2632).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Old Town Baptist Church, Inc.,
Docket W-2632

AN ORDINANCE AMENDING THE
WINSTON-SALEM CITY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF
THE CITY OF WINSTON-SALEM, N.C.

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

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RS-9 to IP-S (Church or Religious Institution, Neighborhood) the zoning classification of the following described property:

Tax Block 3469, Tax Lot 2A

Section 2. This Ordinance is adopted after approval of the site plan entitled Old Town Baptist Church, Inc. and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, to Old Town Baptist Church, Inc.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Old Town Baptist Church, Inc. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT 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 District Permit for the site shown on the site plan map included in this zoning petition of Old Town Baptist Church, Inc., (Zoning Docket W-2632). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for IP-S (Church or Religious Institution, Neighborhood), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the IP-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO 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.
 - b. All areas shown on the site plan as being within the 50 foot buffer and outside the limits of grading shall be cordoned off in the field to protect from grading.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
 - a. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Developer shall install an all-weather pedestrian pathway from the southwest corner of the parking area to the adjacent residential subdivision.
 - b. All required fire hydrants shall be installed in accordance with the County Fire Department.

- **OTHER REQUIREMENTS**
 - a. Lighting over 12 foot high shall be of the “shoebox” type or otherwise shielded in a manner to not cast direct light onto adjacent residential properties.

ZONING STAFF REPORT

DOCKET # W-2632
STAFF: Suzy Gallaway

Petitioner(s): Old Town Baptist Church, Inc.
Ownership: Same

REQUEST

From: RS-9 Residential Single Family
To: IP-S (Church or Religious Institution, Neighborhood)

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

Acreage: 4.87 acre

LOCATION:

Street: Northeast corner of Rustic Road and Welcome Drive.
Jurisdiction: City of Winston-Salem.
Ward: Northwest.

SITE PLAN

Proposed Use: Church or Religious Institution, Neighborhood.
Square Footage: 13,285 square feet.
Building Height: One and two stories.
Parking: No additional parking is required beyond what is provided for the existing church on the adjoining zoning lot; proposed: 341 Spaces.
Bufferyard Requirements: Type I where adjacent to RS-9.
Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Church related structures.
Adjacent Uses:

North-	Residential property, zoned RS-9.
East-	Old Town Baptist Church, zoned IP.
South-	Residential property, zoned RS-9.
West-	Residential subdivision, zoned RS-9.

GENERAL AREA

Character/Maintenance: Well-maintained single family area.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site is wooded, so would need to be at least partially cleared.

Topography: The subject property experiences an elevation change of approximately 40 feet, falling from about 895 feet in the southeast corner of the site to about 855 feet in the northwest section of the site.

Streams: A small tributary of Muddy Creek traverses just to the north of the subject property.

Vegetation/habitat: The subject property is heavily vegetated to the north, west, and northwest of the existing structure.

Environmental Resources Beyond the Site: The proposed project does not post any significant threat to environmental resources beyond the site.

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

TRANSPORTATION

Direct Access to Site: Old Pfafftown Road; Shattalon Drive.

Street Classification: Old Pfafftown Road – Local Road; Shattalon Drive – Minor Thoroughfare.

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

Shattalon Drive between Yadkinville Road and Ryan Way = 7,200/16,100.

Trip Generation/Existing Zoning: RS-9; $4.87 \times 43,560/9,000 = 23 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 220 \text{ Trips per Day}$.

Trip Generation/Proposed Zoning: IP-S; $13,285/1,000 \times 36.63 \text{ (Church Trip Rate, based on square footage, on a Sunday)} = 486 \text{ Trips per Day}$.

Planned Road Improvements: Shattalon Drive between Reynolda Road and Robinhood Road; from 2 lane to 3 lanes; 2005 – 2014; not regionally significant.

HISTORY

Relevant Zoning Case:

1. W-1930; Special Use Permit for Institutional Parking in a Residential Zoning District; approved September 6, 1994; west side of Shattalon Drive south of Yadkinville Road; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): *Legacy* promotes a mixture of residential and non-residential uses in neighborhoods, including semi-public uses such as churches. However, non-residential uses should be of a size, scale and design so that they do not negatively impact the character of the neighborhood.

ANALYSIS

The current request is to rezone just under five acres from RS-9 to IP-S (Church or Religious Institution, Neighborhood). The petitioner owns property that is contiguous to the site in this request and is zoned IP. The adjacent property is already developed with the main church structure, parking and accessory structures. There are also accessory structures on the current site. The area surrounding the site is predominately single-family residential. The use Church or Religious Institution, Neighborhood is allowed in Residential zoning districts, however for the expansion of institutional parking it is required for the petitioner to acquire either a Special Use Permit or IP zoning. The petitioner has chosen to bring in a request for IP-S, which demonstrates their current plans for growth as well as those in the future.

The site currently is a well-maintained institutional use accessing onto Shattalon Drive. Growth of the church should not affect traffic in the surrounding residential areas. There will be a 50-foot buffer where adjacent to residential zoning, which should adequately protect the neighbors from any possible intrusions from the neighboring church. The petitioner has also volunteered to install an all-weather pedestrian pathway connecting to the adjacent subdivision, however there is no vehicular connection proposed. The expansion of the church site is not inconsistent with the character of the area, or *Legacy* recommendations therefore, staff recommends approval.

FINDINGS

1. The current request is to rezone just under five acres to IP-S (Church or Religious Institution, Neighborhood).
2. The adjacent church property is zoned IP and the two sites will be integrated.
3. The site currently is partially developed as a well-maintained institutional use accessing onto Shattalon Drive.
4. A 50-foot buffer is proposed adjacent to residential zoning, which should adequately protect the neighbors.
5. Expansion of the church site is not inconsistent with the character of the area, or *Legacy* recommendations.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

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

- **PRIOR TO ISSUANCE OF GRADING PERMITS**
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- **OTHER REQUIREMENTS**
 - a. Lighting over 12 foot high shall be of the “shoebox” type or otherwise shielded in a manner to not cast direct light onto adjacent residential properties.

Suzy Gallaway presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: Stuart Hile, the person who had signed up to speak in opposition to this case, did not make himself known to speak.

WORK SESSION

MOTION: Philip Doyle moved approval of the zoning map amendment.

SECOND: Jimmy Norwood

VOTE:

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

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Philip Doyle certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Jimmy Norwood

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning