



DOCKET #: W2525

PROPOSED ZONING:
Special Use Permit

EXISTING ZONING:
RS9

PETITIONER:
First Waughtown Baptist Church

SCALE: 1" represents 200'

STAFF: Hughes

GMA: 2

ACRE(S): 0.41

MAP(S): 636842



January 23, 2002

First Waughtown Baptist Church
c/o Dennis W. Bishop, Pastor
838 Moravia Street
Winston-Salem, NC 27107

RE: ZONING DOCKET W-2525

Dear Mr. Bishop:

The attached report of the Planning Board to the Board of Aldermen is sent to you at the request of the Aldermen. You will be notified by the City Secretary's Office of the date on which the Aldermen 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
J. H. Batten Construction, 4880 Harley Drive, P. O. Box 879, Walkertown, NC 27051

ACTION REQUEST FORM

DATE: January 23, 2002
TO: The Honorable Mayor and Board of Aldermen
FROM: A. Paul Norby, AICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on Special Use Permit of First Waughtown Baptist Church

SUMMARY OF INFORMATION:

Special Use Permit of First Waughtown Baptist Church for the expansion of Institutional parking in a RS-9 zoning district: property is located on the south side of Moravia Street across from Burgandy Street (Zoning Docket W-2525).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE PERMIT

Special Use Permit of First Waughtown Baptist Church, Docket W-2525

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

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

Section 1. The Board of Aldermen 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 *Vision 2005*.

Section 2. The Winston-Salem Board of Aldermen hereby issues a special use permit for Institutional Parking in a Residential Zoning District in accordance with Section 6-1.5 of the Zoning Ordinance of the *Unified Development Ordinances* to First Waughtown Baptist Church to be established on the following described property:

Tax Block 1629D, Tax Lots 017, 018, 102

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

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 First Waughtown Baptist 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 Board of Aldermen
of the City of Winston-Salem

The Board of Aldermen 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 First Waughtown Baptist Church, (Zoning Docket W-2525). 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 Residential 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 Section 6-1.5 of the Zoning Ordinance of the *Unified Development Ordinances*, and other applicable laws. No additional conditions are required.

ZONING STAFF REPORT

DOCKET # W-2525

STAFF: Suzy Hughes

Petitioner(s): First Waughtown Baptist Church

Ownership: Same

REQUEST

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf

To: Special Use Permit to allow Institutional Parking

Acreage: 1.65 acres

LOCATION

Street: South side of Moravia Street across from Burgandy Street.

Jurisdiction: City of Winston-Salem.

Ward: Southeast.

SITE PLAN

Proposed Use: Institutional Parking.

Parking: Required: 71; proposed: 71.

Bufferyard Requirements: Type II along residential zoning.

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Small single family residence.

Adjacent Uses:

North - Single family residences, zoned RS-9.

Northeast - Park, zoned IP.

East - Single family residences, zoned RS-9.

South - Interstate 40.

West - Single family residences, zoned RS-9.

GENERAL AREA

Character/Maintenance: Well-maintained single family homes, church and public park.

Development Pace: Slow.

TRANSPORTATION

Direct Access to Site: Moravia Street.

Street Classification: Local street.

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

N/A

Trip Generation/Existing Zoning: RS-9

5,532/1,000 x 36.63 (Church Trip Rate) = 202 trips per day

Trip Generation/Proposed Zoning: Special Use Permit

14,403/1,000 x 36.63 (Church Trip Rate) = 527 trips per day

Sidewalks: North side of Moravia and west side of Burgundy.

Transit: Route 26, along Urban Street and Thomasville Road.

HISTORIC RESOURCES REVIEW

Comments: According to the *Southeast Winston-Salem Architectural Survey Planning Phase Report*, the neighborhood in which the subject property is located grew into a predominately African-American neighborhood known as Belview during the early 20th century. The First Waughtown Baptist Church was established by African Americans around 1900, with a building being built in 1913 on Moravia Street. The structure located on the property appears to be pre-1950 and retains its original integrity, its demolition is discouraged.

ANALYSIS

The project site lies in an established residential area containing a mix of residential, church and institutional uses. The site is slightly less than one-half acre. The petitioner is requesting a Special Use Permit for the purpose of expanding a parking lot for institutional (church) use in a residentially zoned area.

The site's proximity to the church provides justification for the granting of a Special Use Permit for additional parking at this location provided that the findings of fact are met. Staff is concerned that the petitioner make efforts to move the house located on the property and discourages demolition of the structure.

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; Yes. Although the site will be altered as a result of construction of the parking area, the parking area will support operation of the existing church which will in turn help to stabilize and preserve the neighborhood.

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. No buildings greater than 35 feet 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. The site fronts on a public street with good sight distance.
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 Board of Aldermen 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

Special Use Permit: **APPROVAL**; staff certifies that the **site plan meets all code requirements**, and recommends no additional conditions.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION:

MOTION: Kerry Avant moved approval of the special use permit, certified that the site plan meets all code requirements and has met the seven findings required in Section 6-1.5(D) of the *Unified Development Ordinances*.

SECOND: Philip Doyle

VOTE:

FOR: Avant, Bost, Clark, Doyle, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning