



DOCKET #: W2451

PROPOSED ZONING:
Special Use Permit

EXISTING ZONING:
RS9

PETITIONER:
St. Stephens
Missionary Baptist Church

SCALE: 1" represents 200'

STAFF: Hughes

GMA: 3

ACRE(S): 0.9

MAP(S): 642870



February 21, 2001

St. Stephens Missionary Baptist Church
5000 Noble Street
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT W-2451

Dear Sirs:

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
Randall G. Kale, 3550 Vest Mill Road, Winston-Salem, NC 27103
L. C. Rucker, 2529 Patterson, Winston-Salem, NC 27105

ACTION REQUEST FORM

DATE: February 21, 2001
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 petition of St. Stephens
Missionary Baptist Church

SUMMARY OF INFORMATION:

Special Use Permit petition of St. Stephens Missionary Baptist Church for the
expansion of Institutional Parking in a RS-9 zoning district: property is located
on the south side of Pressman Drive east of Noble Street (Zoning Docket W-
2451).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE PERMIT

Special Use Permit of St. Stephens Missionary Baptist Church, Docket W-2451

AN ORDINANCE ISSUING
A SPECIAL USE PERMIT
FOR THE EXPANSION OF INSTITUTIONAL
PARKING IN A RS-9 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 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 St. Stephens Missionary Baptist Church to be established on the following described property:

Tax Block 3204, Tax Lot 1176

Section 3. This Ordinance is adopted after approval of the site plan entitled St. Stephens Missionary Baptist Church and identified as Attachment "A" of the Special Use Permit issued by the Board of Aldermen the _____ day of _____, to St. Stephens Missionary 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 St. Stephens Missionary 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 St. Stephens Missionary Baptist Church, (Zoning Docket W-2451). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use Permit for the expansion of Institutional Parking in a RS-9 Zoning District, approved by the Board of Aldermen of the City of Winston-Salem 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, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
 - a. Developer shall have a storm water management plan 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.

- **OTHER REQUIREMENTS**
 - a. Developer shall install a five (5) foot wide sidewalk within the public right-of-way along the entire frontage of Pressman Drive. Said sidewalk shall be located at the outer edge of the right-of-way.

ZONING STAFF REPORT

DOCKET # W-2451
STAFF: Suzy Hughes

Petitioner(s): St. Stephens Missionary Baptist Church
Ownership: Same

REQUEST

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf
To: Special Use Permit for expansion of Institutional Parking in RS-9 Zoning District

Acreage: 0.90 acre

LOCATION

Street: South side of Pressman Drive east of Noble Street intersection.
Jurisdiction: City of Winston-Salem.
Ward: Northeast.

SITE PLAN

Proposed Use: Institutional Parking.
Parking: Required: 235; proposed: 60 new spaces for a total of 298.
Bufferyard Requirements: Type I adjacent to RS-9 Zoning Districts.
Vehicular Use Landscaping Standards Requirements: UDO Standards Apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is vacant.

Adjacent Uses:

| | |
|-------------|-----------------------------------------------------------------------------|
| North - | Across Pressman Drive is St. Stephens Missionary Baptist Church zoned RS-9. |
| East - | Single family residential uses zoned RS-9. |
| South - | Single family residential uses zoned RS-9. |
| Southwest - | Presbyterian Church zoned IP. |
| West - | Single family residential uses zoned RS-9. |

GENERAL AREA

Character/Maintenance: Well-maintained single family homes and well-maintained church.
Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site is cleared.

Topography: Site slopes down slightly to the south.

Vegetation/habitat: Site is cleared.

Constraints: None.

TRANSPORTATION

Direct Access to Site: Pressman Drive.

Street Classification: Local street.

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

Transit: Route #1 along Carver School Road west of the site.

HISTORY

Relevant Zoning Cases:

1. W-2435; RS-9 to RM-8-S (Child Day Care Center); denied January 2, 2001; east side of Carver School Road north of Bainbridge Drive; 1.11 acres; Planning Board and staff recommended denial.
2. W-2400; RS-9 to RM-8-S (Congregate Care); approved June 5, 2000; south side of Lansing Drive west of Carver School Road; 5.42 acres; Planning Board and staff recommended approval.
3. W-2224; RS-9 to RM-8-S (Child Day Care Center; and Single Family); denied June 1, 1998; east side of Oak Ridge Drive south of Lansing Drive; 0.51 acre; Planning Board and staff recommended denial.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 3: Urban.

Relevant Comprehensive Plan Recommendation(s): Separation and buffering of commercial, office, and industrial uses from residential areas.

Area Plan/Development Guide: *Carver Road/Ogburn Station Development Guide* (1991).

Relevant Development Guide Recommendation(s): This site lies within an area designated for primarily low density residential uses in the *Carver Road/Ogburn Station Development Guide* (1991). Areas south of Lansing Drive should retain low density development as permitted under existing zoning.

ANALYSIS

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

The site's proximity to the church provides sufficient justification for the granting of a Special Use Permit for additional parking at this location provided that additional landscape buffering as proposed as a site plan condition is provided.

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

FINDINGS OF FACT

1. The development is in conformity with *Vision 2005* 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.
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.

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 *Vision 2005*; Yes.

STAFF RECOMMENDATION

Special Use Permit: 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 plan 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.
- **OTHER REQUIREMENTS**
 - a. Developer shall install a five (5) foot wide sidewalk within the public right-of-way along the entire frontage of Pressman Drive. Said sidewalk shall be located at the outer edge of the right-of-way.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: James Rousseau moved approval of the special use permit, certified that the site plan meets all code requirements, and recommends staff conditions.

SECOND: Steve Johnson

VOTE:

FOR: Johnson, King, Powell, Rousseau, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning