



**DOCKET #:** W2458

**PROPOSED ZONING:**  
 RM8-S (Child Day  
 Care Center and  
 Neighborhood Church)

**EXISTING ZONING:**  
 RS9

**PETITIONER:**  
 St. Matthews Apostolic Church

**SCALE:** 1" represents 200'

**STAFF:** Roberts

**GMA:** 3

**ACRE(S):** 3.4

**MAP(S):** 642870



March 15, 2001

St. Matthews Apostolic Church  
c/o Joseph P. Lowery, Pastor  
3640 New Walkertown Road  
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT W-2458

Dear Mr. Lowery:

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  
Lucious B. Oliver, 545 N. Trade Street, Winston-Salem, NC 27101

**ACTION REQUEST FORM**

**DATE:** March 15, 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 zoning map amendment of St. Matthews Apostolic Church

**SUMMARY OF INFORMATION:**

Zoning map amendment of St. Matthews Apostolic Church from RS-9 to RM-8-S (Child Day Care Center; and Church or Religious Institution, Neighborhood): property is located on the south side of Sellwood Road at the southern end of Cottingham Drive and on the northwest side of New Walkertown Road (Zoning Docket W-2458).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of St. Matthews Apostolic Church,  
Docket W-2458

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

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BE IT ORDAINED by the Board of Aldermen 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 RM-8-S (Child Day Care Center; and Church or Religious Institution, Neighborhood) the zoning classification of the following described property:

Tax Block 6029, Tax Lots 105 and 106

Section 2. This Ordinance is adopted after approval of the site plan entitled Kiddie City Learning Center and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to St. Matthews Apostolic Church.

Section 3. The Board of Aldermen 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 Kiddie City Learning Center. 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 Board of Aldermen

of the City of Winston-Salem

The Board of Aldermen 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 St. Matthews Apostolic Church, (Zoning Docket W-2458). 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 RM-8-S (Child Day Care Center; and Church or Religious Institution, Neighborhood), approved by the Winston-Salem Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_" and signed, provided the property is developed in accordance with requirements of the RM-8-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 THE ISSUANCE OF BUILDING PERMITS**
  - a. On site fire hydrants will be required in locations approved in writing by the City of Winston-Salem Fire Department.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Developer shall dedicate twenty (20) feet of new public right-of-way in fee simple to the North Carolina Department of Transportation (NCDOT) along the entire frontage of the property on New Walkertown Road.
  - b. A fifteen (15) foot type II bufferyard shall be installed where this property adjoins RS-9 zoning in accordance with UDO Section 3-5.
  - c. Developer shall install fire hydrants in accordance with the City Fire and Utilities Departments.

## ZONING STAFF REPORT

**DOCKET #** W-2458  
**STAFF:** Gary Roberts

Petitioner(s): St. Matthews Apostolic Church  
Ownership: Same

### **REQUEST**

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf  
To: RM-8-S Residential Multifamily District; maximum density 8 units/acre (Child Day Care Center; and 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: 3.4 acres

### **LOCATION**

Street: West side of New Walkertown Road south of Northampton Drive.  
Jurisdiction: City of Winston-Salem.  
Ward: Northeast.

### **SITE PLAN**

Proposed Use: Child Day Care Center; and Church or Religious Institution, Neighborhood.  
Square Footage: Church: 6,160 sf; Day Care: 2,502 sf.  
Building Height: 22 feet.  
Parking: Required: 107 spaces; proposed: 117 spaces.  
Bufferyard Requirements: 15 foot type II bufferyard adjacent to RS-9.  
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Church, daycare, and parking lot.

Adjacent Uses:

- North - Single family homes zoned RS-9.
- East - Vacant land zoned RS-9. Across New Walkertown Road, east of the southernmost portion of the site, are single family homes zoned RS-9.
- Southwest - Vacant wooded land and the New Walkertown Road Fire Station zoned RS-9.

## **GENERAL AREA**

Character/Maintenance: Well maintained single family homes.

Development Pace: Slow.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: None.

Topography: Site is well below street level. Developed portion is level; undeveloped portion slopes up to the north.

Vegetation/habitat: Site is partially wooded.

## **TRANSPORTATION**

Direct Access to Site: New Walkertown Road/Northampton Drive.

Street Classification: New Walkertown Road - major thoroughfare; Northampton Drive - minor thoroughfare.

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

New Walkertown between Northampton Drive South & North = 4,200/10,000

Northampton Drive between New Walkertown Road and Beeson Dairy Road = 1,600  
/8,000

Transit: WSTA Route #1 along Northampton Drive.

## **HISTORY**

Relevant Zoning Cases:

1. W-2114; LO-S to RS-9; approved January 6, 1997; west side of New Walkertown Road south of the intersection of New Walkertown Road and Northampton Drive (adjacent to current site); 1.9 acres; Planning Board and staff recommended approval.
2. W-1920; R-2-S to Site Plan Amendment (reclassified to RM-12-S under UDO conversion); approved August 1, 1994; southeast side of New Walkertown Road (US 311) east of Northampton Drive; 2.3 acres; Planning Board and staff recommended approval.
3. W-1793; R-6 to R-2-S, Day Care Center; and Dwellings: Single Family); approved November 2, 1992; east side of Northampton Drive across from Flora Lane; 0.89 acre; Planning Board recommended approval and staff recommended denial.

## **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): *Vision 2005* calls for the 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 identified for low density residential use (under 4.7 units/acre). Residential land use near Northampton Drive and White Rock Road should be protected from encroachment of nonresidential development due to the proposed eastern leg of the Northern Beltway and the proposed Walkertown Activity Center.

## **ANALYSIS**

Saint Mathews Apostolic Church is requesting the rezoning of their property, located on New Walkertown Road, from RS-9 to RM-8-S (Child Day Care Center; and Church or Religious Institution, Neighborhood). The purpose of the request is to allow the existing day care facility to be operated by a separate entity other than the church.

The church's entire ownership was originally submitted; however, staff recommended that only the pertinent area of the property be included in the petition. The applicant agreed and revised the site plan prior to the Planning Board public hearing.

It is staff's opinion that a change in the operation and management of the day care will have a minimal impact on the surrounding properties. Even if located on a separate site, the existing day care facility would be an appropriate and compatible use within this local setting.

The day care and church provide appropriately scaled services to the neighborhood and therefore approval is recommended.

## **FINDINGS**

1. Existing church and day care operation have appropriate buffering and separation from adjacent residential uses as recommended in *Vision 2005*.
2. No expansions or encroachments are proposed for either facility.
3. The day care and church are existing community facilities which provide a service to the surrounding neighborhood.

## **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 OCCUPANCY PERMITS**
  - a. Developer shall dedicate twenty (20) feet of new public right-of-way in fee simple to the North Carolina Department of Transportation (NCDOT) along the entire frontage of the property on New Walkertown Road.



- b. A fifteen (15) foot type II bufferyard shall be installed where this property adjoins RS-9 zoning in accordance with UDO Section 3-5.
- c. Developer shall install fire hydrants in accordance with the City Fire and Utilities Departments.

[*For information purposes only:* The petitioner's site is located in the suburban neighborhoods area of *Legacy's* growth management plan. *Legacy* calls for walkable mixed use development with careful attention to making uses compatible.]

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Norman Williams moved approval of the zoning map amendment.

SECOND: John Bost.

VOTE:

FOR: Avant, Bost, King, Powell, Snelgrove, Williams

AGAINST: None

EXCUSED: None

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

SECOND: John Bost.

VOTE:

FOR: Avant, Bost, King, Powell, Snelgrove, Williams

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning