



DOCKET #: W2382

PROPOSED ZONING:

IP-S (Church or Religious Institution, Community; and School, Private)

EXISTING ZONING:

IP, IP-S, and RS9

PETITIONER:

Calvary Baptist Church of Winston-Salem, Inc.

SCALE: 1" represents 400'

STAFF: D. Reed

GMA: 3

ACRE(S): 23.1

MAP(S): 600850

March 22, 2000

Calvary Baptist Church of Winston-Salem, Inc.
Allen M. Frusch, Asst. Sec./Treas.
5000 Country Club Road
Winston-Salem, NC 27104

RE: ZONING MAP AMENDMENT W-2382

Dear Mr. Frusch:

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

ACTION REQUEST FORM

DATE: March 22, 2000
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 Calvary Baptist Church of Winston-Salem, Inc.

SUMMARY OF INFORMATION:

Zoning map amendment of Calvary Baptist Church of Winston-Salem, Inc. from IP, IP-S (Church or Religious Institution, Community), and RS-9 to IP-S (Church or Religious Institution, Community; and School, Private): property is located on the southwest corner of Country Club Road and Peace Haven Road and along the east and south sides of Elliott Road (Zoning Docket W-2382).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Calvary Baptist Church of Winston-Salem, Inc., Docket W-2382

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 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 IP, IP-S (Church or Religious Institution, Community), and RS-9 to IP-S (Church or Religious Institution, Community; and School, Private) the zoning classification of the following described property:

BEGINNING at an iron found at the intersection of the northern right of way line of Peace Haven Road (State Road 1140), the southern most corner of Cedar Cove Rec Corp. (See Deed Book 1156, Page 213 and Condo Book 1, Page 10-15), and the southern most corner of the herein described tract; running thence from said beginning point with the eastern line of Cedar Cove Rec Corp. North 39 degrees 01' 01" West 210.05 feet to an iron found; thence South 50 degrees 03' 56" West 107.82 feet to an iron found; thence with the eastern line of Cedar Cove Condos (See Condo Book 1, Pages 7-17) North 02 degrees 14' 13" East 448.14 feet to a flagged rock; thence with the northern line of Cedar Cove Condos as referenced above North 87 degrees 53' 12" West 222.50 feet to an iron found and continuing North 87 degrees 53' 12" West 33.46 feet to an iron found; thence with the northern line of Robert C. Reed (See Deed Book 1848, Page 2638) North 87 degrees 49' 54" West 98.03 feet to an iron found; thence with the eastern line of Richard Parks Bennett (See Deed Book 1718, Page 2116) North 11 degrees 10' 23" East 164.83 feet to an iron found; thence with the southern line of Bobby R. Wilmoth (Tax Lot 17, Block 3908) South 78 degrees 45' 16" East 129.88 feet to an iron found; thence with the eastern right of way line of Elliott Road as same varies, North 09 degrees 56' 45" East 67.72 feet to an iron found; thence North 09 degrees 22' 38" East 228.70 feet to an existing iron rod; thence South 81 degrees 17' 55" East 5.03 feet to a new iron found; thence North 04 degrees 03' 49" East 68.34 feet to a new iron pipe; thence North 38 degrees 10' 34" East 290.34 feet to an existing iron rod in the southern right of way line of Country Club Road; thence with the southern right of way line of Country Club Road South 62 degrees 43' 05" East 90.91 feet to an iron found; thence South 69 degrees 54' 06" East 110.30 feet to an iron found; thence South 83 degrees 36' 20" East 264.25 feet to an iron found; thence South 83 degrees 31' 34" East 691.06 feet to an iron found; thence South 22 degrees 28' 16" East 32.21 feet to an iron found in the

northern right of way line of Peace Haven Road; thence with said right of way of Peace Haven Road South 35 degrees 56' 32" West 439.33 feet to an iron found; thence South 39 degrees 53' 44" West 64.70 feet to an iron found; thence South 40 degrees 42' 10" West 74.92 feet to an iron found; thence South 44 degrees 30' 18" West 302.66 feet to an iron found; thence South 48 degrees 48' 33" West 80.56 feet to an iron found; thence South 50 degrees 43' 38" West 216.92 feet to an iron found; thence South 50 degrees 56' 12" West 299.69 feet to an iron found, said iron being the point and place of BEGINNING. This tract contains total acreage of 23.56 acres. Tax Block 3908; Tax Lots 3B, 4B, 5B, 6M, 7M, 9P, 10M, 15G, 15H, 15J, 15K, 15P, 15U, 55A, 55B, 56A, 56B, 57, 58, and 59A.

Section 2. This Ordinance is adopted after approval of the site plan entitled Calvary Baptist Church and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to Calvary Baptist Church of Winston-Salem, Inc.

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 Calvary Baptist Church. 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 Calvary Baptist Church of Winston-Salem, Inc., (Zoning Docket W-2382). 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, Community; and School, Private), approved by the Winston-Salem Board of Aldermen the _____ day of _____, 19____" 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:

C 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.

C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS

- a. Developer shall install new sidewalks on Country Club Road and Peace Haven Road as shown on the site plan.

C PRIOR TO THE USE OF THE PARKING LOT

- a. Developer shall record a negative access easement along the entire frontage of the property along Elliott Road.
- b. Any required storm water management devices shall be installed.
- c. All fencing, screening and landscaping shall be installed as shown on the site plan.

ZONING STAFF REPORT

DOCKET # W-2382
STAFF: David Reed

Petitioner(s): Calvary Baptist Church of Winston-Salem, Inc.
Ownership: Same

REQUEST

From: IP Institutional and Public District; IP-S Institutional and Public District (Church or Religious Institution, Community); and RS-9 Residential Single Family District; minimum lot size 9,000 sf
To: IP-S (Church or Religious Institution, Community; and School, Private)

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

Acreage: 23.1 acres

LOCATION

Street: Southwest corner of Country Club Road and Peace Haven Road and along the east and south sides of Elliott Road.
Jurisdiction: City of Winston-Salem.
Ward: West.

SITE PLAN

Proposed Use: Community scale church and private school.
Square Footage: 256,000 square feet.
Building Height: Varies - maximum allowed is 60 feet.
Parking: 550 required; 1,204 provided.
Bufferyard Requirements: A type II bufferyard is required adjacent to RS-9 zoning and a type I bufferyard is required adjacent to RM-12 zoning.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Calvary Baptist Church campus.

Adjacent Uses:

North -	Commercial uses.
East -	Commercial and residential uses.
South -	Multifamily and single family uses.
West -	Multifamily and single family uses.

GENERAL AREA

Character/Maintenance: Well-maintained residential uses and business uses.
Development Pace: Fast.

PHYSICAL FEATURES

Topography: Site slopes down to the west.
Streams: A small stream begins near the western property line.
Vegetation/habitat: Site is primarily developed.
Impact on Existing Features: Minor.

TRANSPORTATION

Direct Access to Site: Peace Haven Road and Country Club Road.
Street Classification: Peace Haven Road - minor thoroughfare and Country Club Road - major thoroughfare.
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Peace Haven Road north of Country Club Road - 15,000/18,000; south of Country Club Road - 15,000/20,000; Country Club Road west of Peace Haven Road -15,000/16,000; east of Peace Haven Road - 17,000/16,000
Trip Generation/Existing Zoning: RS-9 2 lots $9.55 = 19$ trips if these lots were developed.
IP/IP-S Church = $256,000\text{sf}/1,000=256 \times 9.11 = 2,332$ existing trips.
Trip Generation/Proposed Zoning: IP-S $313,200/1,000 = 313 \times 9.11 = 2,853$ total trips expected from development; the additional 57,200 sf (9.11) would generate an additional 521 new trips to the site.
Sight Distance: Good.
Interior Streets: Private.
Transit: WSTA Route12 runs along Country Club Road.

HISTORY

Relevant Zoning Cases:

1. W-2376; RS-9 and HB to HB-S (Convenience Store; Food or Drug Store; General Merchandise Store; Restaurant (with drive-through service); Retail Store Specialty or Miscellaneous; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Banking and Financial Services; General Merchandise Store; and Services, Personal); continued to March 9, 2000, Planning Board public hearing; south side of Country Club Road east of Peace Haven Road; 2.88 acres; staff recommended denial.
2. W-2318; RS-9 to IP-S (Church or Religious Institution, Community); approved October 4, 1999; east and south sides of Elliott Road south of Country Club Road; 3.13 acres; Planning Board and staff recommended approval.

3. W-2292; RS-9 to HB-S (Food or Drug Store); approved March 1, 1999; northwest corner of Peace Haven Road and Commonwealth Drive; 0.35 acre; Planning Board and staff recommended approval.
4. W-2291; RS-9 to HB; approved March 1, 1999; off the northeast side of Country Club Road, east of Whitman Drive; 1.04 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): The plan recommends the preservation of stable neighborhood areas.

Area Plan/Development Guide: *Country Club Jonestown Area Plan*.

Relevant Development Guide Recommendation(s): The area plan land use map designates the site for low and moderate density residential use. The area plan also recommends as a policy, "Buffer existing single-family residential areas from more intensive uses which are constructed on adjacent land."

ANALYSIS

The subject petition is for 23.1 acres of IP-S zoning. The majority of the site is currently zoned IP and is the home of Calvary Baptist Church. On October 4, 1999, a 3.13 acre tract adjoining the IP zoning was acquired by the church and rezoned from RS-9 to IP-S for parking expansion (zoning docket W-2318). Most recently, the church approached staff as to the best procedure for redesigning some of the parking areas, making a building addition, and adding more RS-9 land to the church campus. Staff advised the petitioners to consolidate the church property into one IP-S TWO-PHASE zoning district and present the parking lot improvements and building addition as phase one. Phase two would involve any redevelopment which the church hopes to do in the future but is only in the conceptual stages at this point.

As mentioned above, most of the site is currently developed. The major changes proposed in phase one include modifications to the parking and driveway design on the western side of the site and a building addition along the Country Club Road property frontage. The site plan also shows a stormwater detention pond which will serve the entire site and an eight-foot wooden opaque fence adjacent to the Cedar Cove Condominiums. Staff is generally supportive of the proposed plans, however, we are working with the petitioner regarding a reduction in the number of driveway cuts and the development of additional sidewalks.

Vision 2005 recommends the preservation of stable neighborhood areas. The petitioners have made efforts to address this recommendation by volunteering the opaque fence mentioned above and by placing a negative access easement along Elliot Road. The *Country Club Jonestown Area Plan* recommends the site for low and moderate density residential uses (Community scale churches are allowed in all of the residential zoning districts) and also recommends buffering

existing single-family residential areas from more intensive uses which are constructed on adjacent land. The UDO has specific use conditions for community scale churches. The conditions include pervious area requirements, direct access onto a major or minor thoroughfare or a collector street, and specific bufferyard requirements. The proposed plan meets the use conditions in the UDO.

Staff is of the opinion that the consolidation of the Calvary Baptist property into one IP-S special use zoning district is the best way to comprehensively review the ongoing changes to the site. The proposed plan, along with the conditions proposed by staff, addresses the plan recommendations and concerns of the interdepartmental site plan review committee.

FINDINGS

1. The subject petition is for 23.1 acres of IP-S zoning. The majority of the site is currently zoned IP and is the home of Calvary Baptist Church.
2. Staff advised the petitioners to consolidate the church property into one IP-S TWO PHASE zoning district and present the parking lot improvements and building addition as phase one.
3. The major changes proposed in phase one include modifications to the parking and driveway design on the western side of the site and a building addition along the Country Club Road property frontage.
4. The proposed rezoning is consistent with both *Vision 2005* and the *Country Club Jonestown Area Plan*.
5. The proposed plan meets the use conditions in the UDO.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

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

C 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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[For information purposes only: The draft *Legacy* plan recommends reinforcing the earlier objectives of *Vision 2005* with respect to the protection of existing neighborhoods from inappropriate commercial or industrial encroachment. *Legacy* further recognizes the potential impacts caused by nonresidential uses that are introduced into existing neighborhoods at an inappropriate scale. When increased traffic impacts residential areas, traffic calming devices are recommended as one way to provide relief for local residents.]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: John Bost moved approval of the zoning map amendment.

SECOND: James Rousseau

VOTE:

FOR: Avant, Bost, Johnson, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

MOTION: John Bost certifies that the site plan meets all code requirements.

SECOND: James Rousseau

VOTE:

FOR: Avant, Bost, Johnson, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning