



DOCKET #: W2412

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

EXISTING ZONING:
RS7 and RS9

PETITIONER:
New Jerusalem Baptist Church

SCALE: 1" represents 200'

STAFF: Hughes

GMA: 2

ACRE(S): 3.21

MAP(S): 636858

August 23, 2000

Mr. James Paul, Chairman and Trustee
New Jerusalem Baptist Church
1212 Dunleith Avenue
Winston-Salem, N.C. 27101-1730

RE: ZONING MAP AMENDMENT W-2412

Dear Mr. Paul:

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: August 23, 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 New Jerusalem Baptist Church

SUMMARY OF INFORMATION:

Zoning map amendment of New Jerusalem Baptist Church for three separate tracts of land as follows:

Tract 1: Rezoning from RS-7 to IP-S (Church or Religious Institution, Community): property is located on the northeast corner of Cornelius Court and Locust Avenue (Zoning Docket W-2412)

Tract 2: Rezoning from RS-9 to IP-S (Church or Religious Institution, Community): property is located on the corner of Twelfth and One Half Street and Dunleith Avenue (Zoning Docket W-2412)

Tract 3: Rezoning from RS-9 to IP-S (Church and Religious Institution, Community): property is located on the southeast corner of Dunleith Avenue and Twelfth and One Half Street (Zoning Docket W-2412)

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL (including withdrawal of former Tract 1)
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: APPROVAL

CITY ORDINANCE - SPECIAL USE

Zoning Petition of New Jerusalem Baptist Church,
Docket W-2412

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 RS-7 and RS-9 to IP-S (Church or Religious Institution, Community) the zoning classification of the following described property:

TRACT 1 (Block 6227 Lot 26)

Beginning at an existing iron pipe at the northwest intersection of Cornelius Court and Locust Avenue, and said point being the POINT OF BEGINNING; thence with the eastern right of way line of Locust Avenue N 0°22'34"E, a distance of 104.95' to an existing iron pipe; thence S 89°34'23" E, a distance of 15.41 to and existing iron pipe; thence S 0°43'38" W, a distance of 104.67' to an existing iron pipe in the western right of way line of Cornelius Court; thence with said right of way N 89°42'51" W, a distance of 114.77' to the POINT OF BEGINNING; said described tract containing 0.277 acres, more or less.

TRACT 2 (Block 2396 Lots 64, 65, and 66)

Beginning at an existing iron pipe at the northeast intersection Twelfth Street and Dunleigh Avenue, said point being the POINT OF BEGINNING; thence N 0°48'45" E, a distance of 150.07' thence S 89°15'49 E, a distance of 119.68'; thence S 0°41'21 W, a distance of 150.23'; thence N 89°11'15" W, a distance of 120.00' to the POINT OF ENDING, containing 0.41 acre' more or less.

TRACT 3 (Block 6186 Lots 118 and 119)

Beginning at an existing iron pipe of the right of way line of Twelfth and One Half Street, the northwest corner of Cora S. Jones property as described by instrument in Deed book 1681 at page 3499 the , said point being the POINT OF BEGINNING; thence S 0° 14'18" W, a distance of 124.76'; thence S 89°09'54"W, a distance of 79.34'; thence N 10°04'47 W, a distance of 128.04'; thence S 89°55'02" E, a distance of 102.26' to the POINT OF ENDING, containing 0.262 acre, more or less.

Section 2. This Ordinance is adopted after approval of the site plan entitled New Jerusalem Baptist Church and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to New Jerusalem Baptist 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 New Jerusalem 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 New Jerusalem Baptist Church, (Zoning Docket W-2412). 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), 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 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 THE ISSUANCE OF BUILDING PERMITS**
 - a. Driveway permit shall be approved by the Public Works Department of the City of Winston-Salem.
 - b. Property owners shall file a petition with the City Secretary's office for the closure of the portion of 12 ½ Street shown on the site plan.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Garbage dumpster shall be installed to the specifications of the City Sanitation Department.
- **OTHER REQUIREMENTS**
 - 1. No chain link fences shall be installed on tracts 1, 2, or 3.

ZONING STAFF REPORT

DOCKET # W-2412
STAFF: Suzanne Hughes

Petitioner(s): New Jerusalem Baptist Church
Ownership: Same

REQUEST

From: RS-7 Residential Single Family District; minimum lot size 7,000 sf and RS-9 Residential Single Family District; minimum lot size 9,000 sf
To: IP-S Institutional and Public District (Church or Religious Institution, Community)

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

Acreage: 0.95 acre. A total of 3.084 acres (in four separate tracts) were originally submitted; the original tract 1 (2.283 acres) was withdrawn at the Planning Board public hearing.

LOCATION

Street: All sides of intersection of Dunleith Ave and Twelfth and One Half Street; also north of Cornelius Court and north of Twelfth Street.
Jurisdiction: City of Winston-Salem
Ward: East

SITE PLAN

Proposed Use: Parking areas (tracts 1, 2, 3) for a community-scale church (original tract 1).
Square Footage: Surface parking in support of proposed expansion of church (original tract 1) 11,450 s.f., existing structure; 15,200 s.f. after improvements.
Building Height: 46 feet
Parking: Required: 213; Proposed: 213.
Buffer yard Requirements: IP zoning requires a Type II bufferyard in areas adjacent to residential zoning.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Mowed grass lots.

Adjacent Uses:

- Northeast - Single family residences, zoned RS-7.
- Southeast - Single family residences, zoned RS-9.
- Southwest - Vacant lot, with multifamily uses further southwest, zoned RM-18.
- Northwest - Single family residences, zoned RS-9.

GENERAL AREA

Character/Maintenance: Moderate to well-maintained residential uses.

Development Pace: Slow to moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Minor.

Topography: Sites slope down to the southwest.

Vegetation/habitat: Sites are mowed grass.

Constraints: Minor.

TRANSPORTATION

Direct Access to Site: 12th Street, Dunleith Avenue, Cornelius Court

Street Classification: Minor Thoroughfare, Collector Street, Local Street (Respectively)

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

12th Street from Cleveland Avenue to Cameron Avenue - 1,400/10,000 (95)

Trip Generation/Existing Church: RS-7 & RS-9 Church 11,450 sf/1,000 sf. = 11.45 x

9.11 (trip rate) = 104 trips average per week/day

11.45 x 36.63 (trip rate - Sunday) = 419 trips

Trip Generation/Proposed Church Expansion: IP-S Church 15,200 sf/1,000 sf = 15.20 x

9.11 (trip rate) = 138 trips

15.20 x 36.63 (trip rate - Sunday) = 557 trips

HISTORY

Relevant Zoning Cases:

2. W-1867; R-2-S (Day Care Center; Nursing Home; Recreational Facility; and Dwellings: Multi-Family) to R-2-S (Day Care Center); approved January 13, 1994; east side of Highland Avenue between Eleventh Street and Twelfth Street and the northwest corner of Highland Avenue and Eleventh Street; Tract 1- 0.71 acre, Tract 2- 4.99 acres; Planning Board and staff recommended approval.
3. W-889; R-4 to R-2; approved September 10, 1981; East Winston Community Development Area; 16 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Central Area (GMA 2)

Area Plan/Development Guide: *East Winston Area Plan*

Relevant Development Guide Recommendation(s): Public / semi-public and residential low density (0 - 5 DU/AC)

COMMUNITY DEVELOPMENT

Certified Area/Name: East Winston Redevelopment Area

Type of Certification: Blighted

ANALYSIS

New Jerusalem Baptist Church has requested this rezoning of 0.95 acre on three separate tracts currently zoned RS-9 (tracts 1 and 2) and RS-7 (tract 2) to be rezoned IP-S (Church or Religious Institution, Community). The petitioner plans to expand the Church with a 3,750 square foot building addition and three additional parking areas (tracts 1, 2, 3). The petitioner originally included the 2.28-acre parcel containing the church expansion in the rezoning request for IP-S. However, the church site was withdrawn at the Planning Board public hearing due to a building setback conflict, and the expansion was approved through the Planning Board Review process.

However, in order to expand this building as desired, the petitioner must provide adequate parking which is not available on the existing site of the church. Tracts 1, 2, and 3 included in the proposed zoning cannot be used for parking under the current residential zoning without obtaining special use permits from the Board of Aldermen. Staff recommended rezoning to IP-S as a simpler way of fulfilling the approval requirements.

The proposed tracts (#1, 2, and 3) are currently vacant lots adjacent to residential structures. The subject sites lie in the East Winston #4 Redevelopment Area which was approved in phases from the mid-1970's through the mid-1980's. The plan, which is largely completed, calls for redevelopment and rehabilitation of existing housing plus the development of some multi-family housing and the expansion of existing churches.

If the proposed parking were taking out existing housing across the street or being placed between existing homes, staff would have more of a concern. However, since the property is situated between the church and nearby homes in the neighborhood, this concern is mitigated.

Rezoning of the subject site would be consistent with surrounding zoning and uses, as well as prescribed uses as determined in the East Winston Area Plan and the East Winston

Redevelopment Area Plan #4, provided the petitioner agrees to site plan conditions. Staff recommends approval.

FINDINGS

1. New Jerusalem Baptist Church has requested this rezoning of 0.95 acre currently zoned RS-7 and RS-9 (both residential single family) to be rezoned IP-S (Church or Religious Institution, Community).
2. In order to expand the church building as desired, the petitioner must provide adequate parking which is not available on the existing site.
3. The proposed tracts are currently vacant lots adjacent to residential structures.
4. Rezoning of subject sites would be consistent with surrounding zoning and uses as well as prescribed uses as determined in the area plan which calls for redevelopment and rehabilitation of existing housing plus the development of some multi-family housing and the expansion of existing churches.
5. Provided that the petitioner agrees to site plan conditions, staff recommends approval.

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 BUILDING PERMITS**
 - a. Driveway permit shall be approved by the Public Works Department of the City of Winston-Salem.
 1. Property owners shall file a petition with the City Secretary's office for the closure of the portion of 12 2 Street shown on the site plan.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Garbage dumpster shall be installed to the specifications of the City Sanitation Department.
- **OTHER REQUIREMENTS**
 1. No chain link fences shall be installed on tracts 1, 2, and 3.

[For information purposes only: The draft Legacy Comprehensive Plan: The petitioner's site is located in the urban neighborhoods planning area of Legacy's growth management plan. In this area, the plan calls for quality infill development, greater residential densities where appropriate, and neighborhood retail and community services. Historic preservation, rehabilitation and reuse

of existing structures should also be encouraged in this area.]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Kerry Avant moved approval of the zoning map amendment

SECOND: James Rousseau

VOTE:

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

AGAINST: None

EXCUSED: None

Mr. Bost complimented the staff in its staff review process.

A. Paul Norby, AICP
Director of Planning