PROPOSED ZONING: RM8-S

EXISTING ZONING: C-S

PETITIONER: Galilee Missionary Baptist Church for property owned by Same

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRES: 28.32

NEAREST BLDG: 35' north

MAP(S): 642874
July 22, 2009

Galilee Missionary Baptist Church
c/o Fannie H. Henderson
575 N. Martin Luther King, Jr. Drive
Winston-Salem, NC  27101

RE:   ZONING MAP AMENDMENT W-3038

Dear Ms. Henderson:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

pc:   City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
       Frankie Jones, 300 North Greene Street, Suite 1400, Greensboro, NC  27401
       Nathan Scovens, 575 N. Martin Luther King, Jr. Drive, Winston-Salem, NC  27101
       Frank Amenya, John Davenport Engineering, 7105 Brandemere Lane, Winston-Salem, NC  27106
       Jeff Swartz, PE, 401 4th St., SW, Suite 201, Hickory, NC  28602
ACTION REQUEST FORM

<table>
<thead>
<tr>
<th>DATE:</th>
<th>July 22, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM:</td>
<td>A. Paul Norby, FAICP, Director of Planning</td>
</tr>
</tbody>
</table>

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Galilee Missionary Baptist Church (Zoning Docket W-3038).

SUMMARY OF INFORMATION:

Zoning map amendment of Galilee Missionary Baptist Church from C-S to RM-8-S (Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; and Residential Building, Urban): property is located on the east side of Northampton Drive, across from Oak Ridge Drive (Zoning Docket W-3038).

PLANNING BOARD ACTION:

<table>
<thead>
<tr>
<th>MOTION ON PETITION:</th>
<th>APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOR:</td>
<td>WESLEY CURTIS, ARNOLD KING, ARTHUR KING, CLARENCE LAMBE, DARRYL LITTLE, PAUL MULLICAN</td>
</tr>
<tr>
<td>AGAINST:</td>
<td>LYNNE MITCHELL, BRENDA SMITH</td>
</tr>
<tr>
<td>SITE PLAN ACTION:</td>
<td>CONFORMS TO THE REQUIREMENTS OF THE UDO</td>
</tr>
</tbody>
</table>
CITY ORDINANCE - SPECIAL USE

Zoning Petition of Galilee Missionary Baptist Church, Docket W-3038

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 City Council 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 C-S to RM-8-S (Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; and Residential Building, Urban) the zoning classification of the following described property:

PIN#'s 6847-74-6468 and 6847-85-2253

Section 2. This Ordinance is adopted after approval of the site plan entitled Galilee Missionary Baptist Church and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of ________________, 20___ to Galilee Missionary Baptist Church.

Section 3. The City Council 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 Galilee Missionary 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.
The City Council 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 Galilee Missionary Baptist Church, (Zoning Docket W-3038). 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 (Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; and Residential Building, Urban), approved by the Winston-Salem City Council 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 GRADING PERMITS:
  a. Developer shall obtain a driveway permit from the City of Winston-Salem Public Works Department. Required improvements include, but are not limited to:
     • Provide right turn lane on Northampton Drive and sidewalks along PIN 6847-85-2253. At such time additional improvements are proposed for the site that merit either a Site Plan Amendment or Rezoning, additional road improvements will be required as specified by the City of Winston-Salem Public Works Department.
  b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department.
  c. Developer shall cordon off all areas shown on the site plan as “undisturbed areas” or “existing vegetation/trees to remain.” These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.
• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
  a. All required improvements of the City of Winston-Salem driveway permit shall be completed.
  b. Developer shall repair any damage to city streets caused by construction.
# CITY-COUNTY PLANNING BOARD
## STAFF REPORT

### PETITION INFORMATION

<table>
<thead>
<tr>
<th><strong>Docket #</strong></th>
<th>W-3038</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff</strong></td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
<td>Galilee Missionary Baptist Church</td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
<td>Multiple property owners</td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
<td>PIN#'s 6847-74-6468 and 6847-85-2253</td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
<td>Special use rezoning</td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting to amend the Official Zoning Maps for the subject property from C-S (Campus District– TWO PHASE) [College or University] to RM-8-S (Residential, Multifamily District; 8 units per acre maximum density). The petitioner is requesting the following uses:

- Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; and Residential Building, Urban

**Continuance History**

The request was continued from the June 11, 2009 Planning Board meeting to the July 9 Planning Board meeting. During this time the requested district was changed from MU-S TWO PHASE to RM8-S.

**Zoning District Purpose Statement**

The RM-8 District is primarily intended to accommodate duplexes, twin homes, townhouses, multifamily, and other low intensity multifamily uses at a maximum overall density of eight (8) units per acre. This district is appropriate for Growth Management Areas 2 and 3 and may be suitable for Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available.

**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)**

(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes, the site is located within GMA 3 along a minor thoroughfare. In addition, the site is currently zoned C-S for institutional and residential uses.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th><strong>Location</strong></th>
<th>East side of Northampton Drive, across from Oak Ridge Drive</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Jurisdiction</strong></td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td><strong>Ward(s)</strong></td>
<td>Northeast</td>
</tr>
<tr>
<td><strong>Site Acreage</strong></td>
<td>Approximately ± 28.32 acres</td>
</tr>
<tr>
<td><strong>Current Land Use</strong></td>
<td>Existing residential development with a mixture of condominium units along with other service uses.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Surrounding Property Zoning and Use</strong></th>
<th><strong>Direction</strong></th>
<th><strong>Zoning District</strong></th>
<th><strong>Use</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>North</td>
<td>RS-9</td>
<td>Single family homes and undeveloped land</td>
</tr>
<tr>
<td></td>
<td>East</td>
<td>RS-9</td>
<td>Undeveloped land</td>
</tr>
</tbody>
</table>
**Physical Characteristics**
The majority of the site is heavily wooded and has a gentle to steep slope downward to the southeast.

**Proximity to Water and Sewer**
The property will be served with public water and public sanitary sewer.

**Watershed and Overlay Districts**
The site is not within a water supply watershed.

**Analysis of General Site Information**
The site appears to possess no development constraints and is suitable for the proposed improvements.

### Site Access and Transportation Information

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northampton Drive</td>
<td>Minor Thoroughfare</td>
<td>1,215’</td>
<td>3,900</td>
<td>16,100</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**
The site plan proposes two access points onto Northampton Drive for the church and retention of the existing driveway on the southern portion of the site which serves a single family home.

**Planned Road Improvements**
The Thoroughfare Plan recommends a 3 lane curb and gutter section with bicycle accommodation and sidewalks for Northampton Drive.

**Trip Generation - Existing/Proposed**
Existing Zoning: C-S
No trip generation numbers available for the existing TWO PHASE approval.

Proposed Zoning: RM8-S
As per the submitted TIS the anticipated trip generation for the 900 seat church and 5 residential units would be 1,256 Trips per Day on Saturday and 2,038 Trips per Day on Sunday.

**Sidewalks**
There are no sidewalks located in the general area; however, the Collector Street Plan & Sidewalk and Pedestrian Facilities Plan requires sidewalks along Northampton Drive.

**Transit**
Not available

**Traffic Impact Study (TIS)**
The submitted TIS recommends the construction of a right turn lane with 100’ of storage at the driveway onto Northampton Drive.

**Analysis of Site Access and Transportation Information**
Due to the large size of proposed church and the overall site, a condition for a second access is recommended when future development in the form of a Site Plan Amendment or Rezoning occurs. The revised site plan includes the recommended second access.

### Conformity to Plans and Planning Issues

**Legacy GMA**
Growth Management Area 3, Suburban Neighborhoods

**Relevant Legacy Recommendations**
- Permit services near where people live including places of worship and other institutions in a manner that is compatible with surrounding uses, and provide retail and service uses within walking and bicycling distance of neighborhoods.
The site is not within the boundaries of an area plan or development guide.

(S)(3) - Have changing conditions substantially affected the area in the petition?
No

(S)(4) - Is the requested action in conformance with Legacy?
Yes

The approved plan for the subject property is for a Bible college with multiple buildings totaling 45,220 square feet. To date, many of the residential and institutional buildings have not been constructed.

The subject request is for a community scale church of 900 seats. Five existing multifamily residential units would also be retained. The total building square footage would be approximately 36,207. In order to minimize the visual impact to the existing single family homes located across the street, staff recommends an additional streetyard berm width of 5’ for a total width of 15’. The revised site plan includes this additional berm width. This additional width will allow for a gentler slope on the sides of the berm which will in turn be easier to maintain and plant with vegetation for enhanced screening of the parking lots.

### Relevant Zoning Histories

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-2321</td>
<td>RS-9 to C-S</td>
<td>Approved 7-6-99</td>
<td>Current site</td>
<td>28.36</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### Site Plan Compliance with UDO Requirements

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking</td>
<td>235 spaces</td>
<td>235 spaces</td>
</tr>
<tr>
<td>Building Height</td>
<td>45’</td>
<td>45’</td>
</tr>
<tr>
<td>Impervious Coverage</td>
<td>70%</td>
<td>15.2%</td>
</tr>
</tbody>
</table>

- Chapter B, Article II, Section 2-1.2 (L) RM8-S District
- Chapter B, Article II, Section, 2-5.21 Church or Religious Institution, Neighborhood; Church or Religious Institution, Community
- Chapter B, Article II, Section, 2-5.64 Residential Building, Multifamily Use Conditions
- Chapter B, Article II, Section, 2-5.68 School, Private
| Complies with Chapter B, Article VII, Section 7-5.3 | (A) Legacy policies: | Yes |
| (B) Environmental Ord. | NA |
| (C) Subdivision Regulations | NA |

| Analysis of Site Plan Compliance with UDO Requirements | The revised site plan complies with the requirements of the UDO. |

<table>
<thead>
<tr>
<th>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Positive Aspects of Proposal</td>
</tr>
<tr>
<td>Request will allow for the redevelopment of an underused site with a community scale church.</td>
</tr>
<tr>
<td>Request is consistent with the RM-8 purpose statement.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.</td>
</tr>
</tbody>
</table>

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  a. Developer shall obtain a driveway permit from the City of Winston-Salem Public Works Department. Required improvements include, but are not limited to:
     - Provide right turn lane on Northampton Drive and sidewalks along PIN 6847-85-2253. At such time additional improvements are proposed for the site that merit either a Site Plan Amendment or Rezoning, additional road improvements will be required as specified by the City of Winston-Salem Public Works Department.
  b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department.
  c. Developer shall cordon off all areas shown on the site plan as “undisturbed areas” or “existing vegetation/trees to remain.” These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All required improvements of the City of Winston-Salem driveway permit shall be completed.
  b. Developer shall repair any damage to city streets caused by construction.
STAFF RECOMMENDATION: APPROVAL

NOTE: These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD.

Gary Roberts presented the staff report. Connie Curtis, WSDOT, explained the City's requirements for the transportation improvements under consideration today.

PUBLIC HEARING

FOR:

Frankie Jones, 4203 Cypress Grove Lane, Greensboro, NC 27455
- Work address is 300 North Greene Street, Suite 1400, Greensboro, NC 2740
- Galilee Baptist Church is one of Winston-Salem’s great churches. It was founded in 1954. It's a very active church. It's a very stable church with Pastor Scovens being only the fifth pastor in it's 55 year history.
- There have been two changes since what was approved earlier. One was to remove the use "School, Private" and the other was to have two access points.
- The only outstanding issue we have is the condition regarding the widening of Northhampton Drive.
- We thank Gary Roberts and Connie Curtis for meeting with us and talking with us many times over the past four months.
- The Planning Board has the authority to modify these requirements.
- The TIS does not require this widening.
- The church is not operating during peak hours.
- The church is doing things to ameliorate any impact the traffic may have.
- We are putting in the right turn lane.
- We are putting in a second access point.
- There's a constitutional question about this type of condition.
- Our estimated cost for this condition are a little bit higher than staff's estimate. This is a significant portion of the cost of the project, to the point at which the project may not occur if this condition is required.
- If we think of putting anything else on this property, we would have to come back before you for approval. If we start talking about uses which will impact traffic during peak hours, we could talk then about the appropriateness of this condition.
- This is a church.
- The church is glad to provide the easement.
- This comes down to a technical requirement versus an individualized capacity requirement.

Nathan Scovens, 575 N. Martin Luther King, Jr. Drive, Winston-Salem, NC 27101
- I am the pastor of Galilee Missionary Baptist Church.
- Thank you for your time and commitment.
• My initial vision was to build on-site on MLK, Jr. Drive.
• We ended up seeking another site where our ministry can grow.

Frank Ameny, John Davenport Engineering, 7105 Brandemere Lane, Winston-Salem, NC 27106
• I am the traffic engineer for this project.
• Our analysis showed that the site would need a right-turn lane.
• This condition for widening seems unnecessary. Based on the traffic that will be generated by this development and the traffic that we already have, I confidently say that North Hampton will be adequate to handle the traffic.
• When the church considers other development on this site, the widening may be necessary, but at this time it is not.

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. The total cost of construction for the project is around 3.8 million dollars. The cost of the turn-lane is right around $100,000-$150,000. The difference in cost between the turn-lane and the widening is approximately $200,000 on the conservative side.

2. Clarence Lambe: We need to use science to determine whether we need the extra lane or not. Connie Curtis explained how determinations of needs are made. If a road is on our Thoroughfare Plan, WSDOT has occasionally determined that a proposed width is greater than necessary based on development in the area and recommended a lower width for widening.

3. Clarence Lambe: My bias is always going to be to keep the cost of development as reasonable as possible. If our ordinance says we "may", then we shouldn't do it unless there's really compelling evidence that says we need to do it rather than that we should do it unless there is compelling evidence that we should not do it.

4. Arnold King: Most of that area is already developed as residential. The traffic count shows a much lower use than the road can handle so we shouldn't require a wider road.

5. Wesley Curtis: Given the fact that we don't know if the road will be widened in the foreseeable future, it doesn't seem right to require widening of this petitioner.

6. Brenda Smith: Is the fact that it is a thoroughfare significant in the decision to widen it? Connie Curtis responded that being a thoroughfare is a significant part of the decision since it is a major road connecting two major roads.
7. Clarence Lambe: This does not appear to be high on Winston-Salem's priority list, since widening of Northhampton is not on any funding list.

8. Lynne Mitchell: I worry about consistency. We have to look to the future and plan for that. Part of passing the plan is to stick to the plan. If this is part of the Thoroughfare Plan, we should adhere to the plan.

9. Wesley Curtis: If the developer has a particular issue with a road widening, I'm open to listening to their arguments.

10. Arnold King: If plans for this property change, it may be appropriate for the road to be widened.

11. The use Day Care Center would have to be added through a Planning Board Review.

12. Brenda Smith: The peak hours of use is not restricted.

13. Lynne Mitchell: Some of these ministries require people to come at all times during the week. Sidewalks are welcoming to people and I feel even though this is a small strip, it is important.

14. The discussion with the petitioner indicated the petitioner's willingness to drop the uses Child Day Care Center and School, Private. (Note: The Child Day Care Center use had previously been deleted.)

15. The petitioner is also dedicating the easement for widening the road.

16. Right now the church just wants to put their church here. If they want to do more, they will come back before the Board.

17. Clarence Lambe: We shouldn't require the TIS and then disregard the results.

18. The site plan allows them to build only a 900 seat sanctuary.

19. Lynne Mitchell: I'm going to vote against a motion to delete the widening because of the consistency issue and because if they bring back some change it could have either a small or significant impact.

MOTION: Wesley Curtis moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions without the condition requiring road widening and with the conditions requiring the sidewalks and the turn-lane. The use "School, Private" was deleted.
SECOND: Clarence Lambe
VOTE:
  FOR:  Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Darryl Little, Paul Mullican
  AGAINST: Lynne Mitchell, Brenda Smith
  EXCUSED: None

A. Paul Norby, FAICP
Director of Planning