DOCKET #: W2727

PROPOSED ZONING:
Special Use Permit (Institutional Parking in a Residential District)

EXISTING ZONING:
RM-18

PETITIONER:
Galilee Missionary Baptist Church for property owned by Same

SCALE: 1” represents 400’

STAFF: Stafford

GMA: 2

ACRE(S): 0.62

MAP(S): 636858
October 20, 2004

Galilee Missionary Baptist Church
575 Martin Luther King, Jr. Drive
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-2727

Dear Sirs:

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, AICP
Director of Planning

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102
## ACTION REQUEST FORM

<table>
<thead>
<tr>
<th>DATE:</th>
<th>October 20, 2004</th>
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<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
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<tr>
<td>FROM:</td>
<td>A. Paul Norby, AICP, Director of Planning</td>
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### BOARD ACTION REQUEST:

Request for Public Hearing on Special Use Permit of Galilee Missionary Baptist Church

### SUMMARY OF INFORMATION:

Special Use Permit by Galilee Missionary Baptist Church for Institutional Parking in a RM-18 zoning district: property is located on the southeast corner of Martin Luther King, Jr. Drive and New Walkertown Road (Zoning Docket W-2727)

### PLANNING BOARD ACTION:

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<th>MOTION ON PETITION:</th>
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<td>FOR:</td>
<td>UNANIMOUS</td>
</tr>
<tr>
<td>AGAINST:</td>
<td>NONE</td>
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<tr>
<td>SITE PLAN ACTION:</td>
<td>CONFORMS</td>
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</table>
BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The City Council 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 Legacy.

Section 2. The Winston-Salem City Council hereby issues a special use permit for Institutional Parking in a RM-18 zoning district in accordance with Section 6-1.5 of the Zoning Ordinance of the Unified Development Ordinances to Galilee Missionary Baptist Church to be established on the following described property:

Tax Block  391
          9998
Tax Lots  32T, 33T, 34T, 35T, 101
          186A, 310, 627

Section 3. This Ordinance is adopted after approval of the site plan entitled Galilee Missionary Baptist Church and identified as Attachment "A" of the Special Use Permit issued by the City Council the ______ day of __________________, to Galilee Missionary Baptist Church.
Section 4. The City Council 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 *Galilee 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 City Council of the City of Winston-Salem

The City Council 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 Galilee Missionary Baptist Church, (Zoning Docket W-2727). The site shall be developed in accordance with the plan approved by the Council and bearing the inscription: "Attachment A, Special Use Permit for Institutional Parking in a RM-18 zoning district, approved by the Winston-Salem City Council 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 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.
  b. Developer shall obtain a driveway permit from the City of Winston-Salem

- **PRIOR TO BUILDING PERMITS**
  a. Developer shall obtain variance for parking closer than 15 feet to residentially zoned properties.
  b. Developer shall provide evidence of parking lease agreements in accordance with UDO requirements.

- **OTHER CONDITIONS**
  a. Signage shall be limited to a minimum six (6) foot high monument sign.
  b. Lighting shall be a maximum if 18 feet high and shall be of the “shoebox” type.
  c. If impervious coverage exceeds 60%, double landscape planting shall be installed in accordance with UDO requirements.
ZONING STAFF REPORT

DOCKET #   W-2727
STAFF:   Myra Stafford

Petitioner(s):   Galilee Missionary Baptist Church
Ownership:   Same

REQUEST

Special Use Permit for the expansion of Institutional Parking in an RM-18 zoning district.

Acreage:   0.62  Expansion of institutional parking in a residential zoning district.
           1.74  Total site acreage

LOCATION:

Street: Southeast corner of New Walkertown Road and Martin Luther King, Jr. Drive.
Jurisdiction: City of Winston-Salem.
Ward: East.

SITE PLAN

Proposed Use: Institutional Parking
Parking: Required: 169 Spaces; Proposed: 169 Spaces (proposed expansion consists of 61 new spaces).
Bufferyard Requirements: Type I bufferyard with a 15 foot minimum setback from a residential district.
Vehicular Use Landscaping Standards Requirements: UDO Standards Apply

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: One story brick building and a shelter. Structures are to be demolished during the renovation of the church.
Adjacent Uses:
  North – Developed business uses, zoned HB and HB-S.
  East – Developed office uses, zoned LO-S.
  South – Developed multifamily residences, zoned RM-18.
  West – Developed shopping center zoned HB.

GENERAL AREA

Character/Maintenance: Generally well maintained commercial and multifamily residential uses.
Development Pace: Slow
TRANSPORTATION

Direct Access to Site: New Walkertown Road; Martin Luther King Jr. Drive
Street Classification: New Walkertown Road – Major Thoroughfare; Martin Luther King Jr. Drive – Major Thoroughfare
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
   New Walkertown Road between Martin Luther King Jr. Drive and Cameron Avenue = 16,000/32,400
   Martin Luther King Jr. Drive between Fifth Street and New Walkertown Road = 13,000/26,900
Trip Generation/Existing Zoning: RM-18
   1.74 x 18 = 31 units x 6.59 (Multi-Family Trip Rate) = 204 Trips per Day
Trip Generation/Proposed Zoning: Special Use Permit
   No trip generation rate available for parking lot.
Planned Road Improvements: None.
Sight Distance: Adequate.
Traffic Impact Study recommended: No.
Sidewalks: Both sides of Martin Luther King Jr. Drive, New Walkertown Road and Locust Avenue.
Transit: Route 1 along Martin Luther King Jr. Drive.
Bicycle Route: None.

ANALYSIS

The subject property is situated between an established business area and multifamily residential uses. This property currently has a one story brick building which will be demolished to make way for the proposed expanded parking. The church is also proposing to build a new expanded sanctuary in the same location as the current church structure which is adjacent to the subject property. The petitioner is requesting a Special Use Permit for the purpose of providing additional off-street parking for an institutional use in a residentially-zoned area.

As institutions continue to grow, providing accessible parking becomes an increasingly important issue. Additionally, growing institutions must remain compatible with their surrounding neighborhoods to ensure those neighborhoods retain their integrity, character, and value. The expansion of institutional parking into residential areas must be done with a great degree of care, caution, and thoroughness.

This site’s proximity to the existing and proposed new church and its buffering from adjacent residences generally provides justification for granting of a Special Use Permit for additional parking at this location provided that the findings of fact, as identified below, are met.

According to Section 6-1.5(D) of the zoning ordinance of the UDO, findings of the Planning Board accompanying a favorable recommendation shall include:

1. The development is in conformity with Legacy; Yes.
2. Water and sewer service are available in adequate capacity; Yes.

3. Where buildings greater than 35 feet in height are proposed within the City of Winston-Salem limits, there is adequate access for aerial fire-fighting equipment; N/A. No buildings are proposed.

4. Streets and highways, both within and in the vicinity of the development will not create a traffic hazard; Yes. Access to the proposed parking lot on New Walkertown Road provides good visibility to traffic traveling in both directions. Also, general hours of operation will not conflict with nearby business activities.

5. General layout and design of the development meets all requirements of the UDO; 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.

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. See site plan conditions below.

In addition to these findings by the Planning Board, the City Council shall issue a Special Use Permit only when making the following affirmative findings:

1. That the use will not materially endanger 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. Locating parking lots into residential areas can potentially impact a neighborhood’s integrity. However, this proposed site plan locates the parking lot close to the adjacent church and uses existing vegetation to further buffer itself from nearby homes, helping to preserve the neighborhood’s integrity.

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 Legacy; Yes.
SUMMARY

1. The project site lies in an established residential and business neighborhood containing multifamily and business uses.

2. The provision of parking is an important issue for growing institutions.

3. This site’s proximity to the existing church and its buffering from adjacent residences provides justification for granting of a Special Use Permit for additional parking at this location.

STAFF RECOMMENDATION

Special Use Permit: **APPROVAL.**

Site Plan: 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 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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- **OTHER CONDITIONS**
  a. Signage shall be limited to a minimum six (6) foot high monument sign.
  b. Lighting shall be a maximum of 18 feet high and shall be of the “shoebox” type.
  c. If impervious coverages exceed 60% double landscape planting shall be installed in accordance with UDO requirements.

PUBLIC HEARING

FOR: None

AGAINST: None
WORK SESSION

MOTION: Carol Eickmeyer moved approval of the special use permit, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Jerry Clark
VOTE:
   FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Smith
   AGAINST: None
   EXCUSED: Norwood

A. Paul Norby, AICP
Director of Planning