

DOCKET #: F1474

PROPOSED ZONING:
Special Use permit for
the Expansion of Institutional
Parking

EXISTING ZONING:
RS40

PETITIONER:
Capernaum Church of Christ
for property owned by
Same

SCALE: 1" represents 200'

STAFF: King

GMA: 5

ACRE(S): 0.96

MAP(S): 576838



November 20, 2006

Capernaum Church of Christ
c/o Alan M. Brown, Sr.
8806 Lasater Road
Clemmons, NC 27012

RE: SPECIAL USE PERMIT F-1474

Dear Mr. Brown:

The attached report of the Planning Board to the Board of Commissioners is sent to you at the request of the Commissioners. You will be notified by the Board of Commissioners' Office of the date on which the Board will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

pc: Jane Cole, Forsyth County Government Center - 5th Floor, 201 N. Chestnut Street,
Winston-Salem, NC 27101

COUNTY ORDINANCE - SPECIAL USE PERMIT

Special Use Permit of Capernaum Church of Christ,
Docket F-1474

AN ORDINANCE ISSUING A SPECIAL USE
PERMIT FOR EXPANSION OF INSTITUTIONAL
PARKING IN A RS-40 ZONING DISTRICT

BE IT ORDAINED by the Board of Commissioners of Forsyth County as follows:

Section 1. The Board of Commissioners 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 Forsyth County Board of Commissioners hereby issues a special use permit for Expansion of Institutional Parking in a RS-40 Zoning District in accordance with Section 6-1.5 of the Zoning Ordinance of the *Unified Development Ordinances* to Capernaum Church of Christ to be established on the following described property:

Tax Block 4401, Tax Lots 69B & 70

Section 3. This Ordinance is adopted after approval of the site plan entitled Capernaum Church of Christ and identified as Attachment "A" of the Special Use Permit issued by the Board of Commissioners the _____ day of _____, ____ to Capernaum Church of Christ.

Section 4. The Board of Commissioners 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 Capernaum Church of Christ. 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 Board of Commissioners
of Forsyth County

The Board of Commissioners of Forsyth County issues a Special Use Permit for the site shown on the site plan map included in this zoning petition of Capernaum Church of Christ, (Zoning Docket F-1474). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use Permit for Expansion of Institutional Parking in a RS-40 Zoning District, approved by the Forsyth County Board of Commissioners the _____ day of _____, 20____" 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 obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.
 - b. Petitioner shall obtain a Watershed Permit from the Inspections Division.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. All requirements of the NCDOT driveway permit shall be completed.
- **OTHER REQUIREMENTS:**
 - a. Any on-site lighting shall not exceed a maximum of 18 feet tall and shall be of the full cutoff type and designed not to cast more than 0.5 footcandle of light beyond the property line. Developer shall submit a photometric plan to the Inspections Division for review prior to the issuance of any permits pertaining to lighting.
 - b. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	F-1474		
Staff	Aaron King		
Petitioner(s)	Capernaum Church of Christ		
Owner(s)	Same		
Subject Property	Tax Lots 69B and 70, Tax Block 4401		
Proposal	The petitioner is requesting a Special Use Permit for the expansion of institutional parking in a RS-40 zoning district.		
Zoning District Purpose Statement	The RS-40 District is primarily intended to accommodate single family detached dwellings on large lots in areas without access to public water and sewer services. The district is established to promote single family detached residences where environmental features, public service capacities, or soil characteristics necessitate very limited development. This district is intended for application in Growth Management Areas 4 and 5 and appropriate protected watershed areas. This district may also be applicable to older, larger lot development in Growth Management Areas 2 and 3 developed prior to the effective date of this Ordinance.		
GENERAL SITE INFORMATION			
Location	Northwest corner of Lasater Road and Center Grove Church Road		
Jurisdiction	Forsyth County		
Site Acreage	Approximately ± 0.96 acres		
Current Land Use	The site currently contains an existing church, screened shelter, and associated parking.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-40	Single family home & undeveloped land
	East	RS-40	Single family home & undeveloped land
	South	C-S	Community scale church
	West	C-S & RS-40	Community scale church & undeveloped land
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?		
	Yes, there is another church south of the subject property.		
Physical Characteristics	The site is relatively flat and contains no streams or wetlands.		

Proximity to Water and Sewer	The subject property has access to public water but has no access to public sanitary sewer.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The site is located in the Yadkin River direct drainage area, an area regulated as a WS-IV Water Supply Watershed.			
Analysis of General Site Information	The site contains a relatively flat topography with no streams or wetlands. The request poses no development issues.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>			
	<ul style="list-style-type: none"> Obtain Watershed permit 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Lasater Road	Minor Thoroughfare	+/- 251 ft.	1,800	11,100
Center Grove Church Road	Local Road	+/- 213 ft.	710	NA
Proposed Access Point(s)	The site plan proposes two entrances onto Lasater Road and one entrance onto Center Grove Church Road. NCDOT has recommended that the existing driveway cut located at the northeast corner of the property be closed.			
Planned Road Improvements	The Thoroughfare Plan recommends that Lasater Road be constructed as a two-lane cross section with curb and gutter and striped bicycle lanes.			
Sidewalks	None existing			
Traffic Impact Study (TIS)	Not required			
Analysis of Site Access and Transportation Information	The site is located at the intersection of a minor thoroughfare and a local road, which makes the site easily accessible. The site plan proposes access points onto Lasater and Center Grove Church Roads.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>			
	<ul style="list-style-type: none"> Obtain NCDOT driveway permit 			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	GMA 5 (Rural Area)			
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Legacy desires to permit services near where people live including places of worship and allowing institutions to grow to meet their needs in a manner that is compatible with surrounding uses. 			
Relevant Area Plan(s)	<i>Clemmons Area Development Guide (1998)</i>			
Area Plan Recommendations	<ul style="list-style-type: none"> The area plan recognizes the site as being located within a single family residential area. 			

<p>Special Use Permit Findings</p>	<p>Findings of the Planning Board accompanying a favorable recommendation shall include:</p> <ol style="list-style-type: none"> 1. The development is in conformity with <i>Legacy</i>; <i>Staff: Yes</i> 2. Water and sewer service are available in adequate capacity; <i>Staff: Yes, the County Fire Department is satisfied with this request.</i> 3. Where buildings greater than thirty-five (35) feet in height are proposed within the City of Winston-Salem, there is adequate access for aerial fire-fighting equipment; <i>Staff: The site is not located within Winston-Salem.</i> 4. Streets and highways, both within and in the vicinity of the development, are of such design and traffic-carrying capacity that the development will not create a traffic hazard; <i>Staff: Both, Laster and Center Grove Church Roads have low average daily traffic counts.</i> 5. General layout and design of the development meet all requirements of this Ordinance; <i>Staff: Site plan meets UDO requirements.</i> 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.); <i>Staff: The site is easily accessible by two public roads.</i> 7. The Planning Board may recommend to the Elected Body conditions as identified in Section B.6-1.3(A)(1) for the issuance of the special use permit to reduce impacts associated with the project. <i>Staff: See "Site-Specific Recommended Conditions of Approval."</i> <p>The Elected Body shall issue a special use permit only when the Elected Body makes an affirmative finding as follows:</p> <ol style="list-style-type: none"> 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; <i>Staff: The proposed parking lot poses no issues.</i> 2. That the use meets all required conditions and specifications; <i>Staff: The request meets all UDO requirements.</i> 3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and, <i>Staff: The request should not affect the value of adjoining land.</i> 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 <i>Legacy</i>. <i>Staff: The request is consistent with Legacy and in harmony with the surrounding area.</i>
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Analysis of Conformity to Plans and Planning Issues		The request meets the required findings as specified in the UDO.				
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1474	AG & RS-40 to C-S	Approved 3/23/98	West	37	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	5,770 square feet		Northern portion			
Parking	Required		Proposed		Layout	
	30 spaces		30 spaces		90° head-in	
Building Height	Maximum			Proposed		
	40 feet			1-story		
Impervious Coverage	Maximum			Proposed		
	32,459 square feet for this site			20,250 square feet		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 2-1.2(C) RS-40 District • Section 6-1.5 Special Use Permits Authorized by the Elected Body 					
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:		Yes			
	(B) Environmental Ord.		Yes			
	(C) Subdivision Regulations		NA			
Analysis of Site Plan Compliance with UDO Requirements	The site plan proposes a new 3,087 square foot building and a total of thirty parking spaces. The existing screened shelter will be removed and used for parking spaces. The buildings will be located on the northern portion of the property with parking located to the south. The site currently contains 27,285 square feet of impervious cover. The site plan proposes to reduce that amount to 20,250 square feet, by replacing portions of the existing gravel surface with bufferyards/streetyards.					
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Sign condition • Lighting condition 					
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The request is consistent with the recommendations of <i>Legacy</i> .			Parking located at the corner of Lasater and Center Grove Church Roads provides no focal point.			
The request meets the required findings as specified in the UDO for issuance of a Special Use Permit.						
Approval of this request would allow an existing church to expand on it's current site.						

Both Lasater and Center Grove Church Roads have adequate carrying capacity for any additional traffic that may be generated.	
The site is located adjacent to an existing church.	
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL	
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.	
<u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u>	
<ul style="list-style-type: none"> a. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit. b. Petitioner shall obtain a Watershed Permit from the Inspections Division. 	
<u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u>	
<ul style="list-style-type: none"> b. All requirements of the NCDOT driveway permit shall be completed. 	
<u>OTHER REQUIREMENTS:</u>	
<ul style="list-style-type: none"> a. Any on-site lighting shall not exceed a maximum of 18 feet tall and shall be of the full cutoff type and designed not to cast more than 0.5 footcandle of light beyond the property line. Developer shall submit a photometric plan to the Inspections Division for review prior to the issuance of any permits pertaining to lighting. b. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet. 	

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 AND THE ELECTED BODY.**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the Special Use Permit, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Arthur King

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Lynne Mitchell, Paul Mullican

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor on September 1, 2006, the subject property was in the name of Capernaum Church of Christ.

A. Paul Norby, FAICP
Director of Planning

DEVELOPMENT SUMMARY

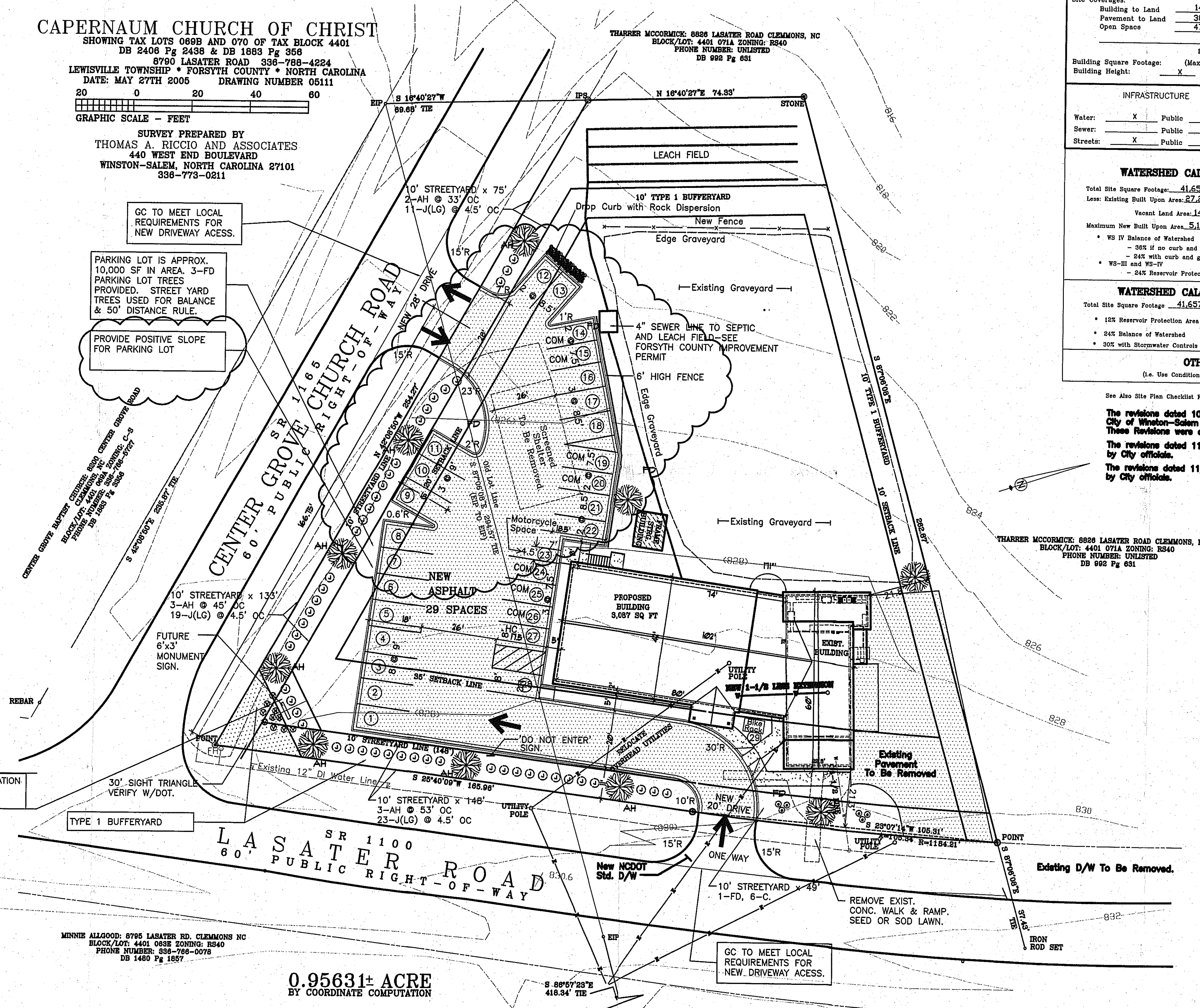
BLOCK AND LOT NO.:	4401 070, 069B
DEED BOOK:	5883099761 1652 PG. 422 - SEE SITE PLAN
TOTAL SITE ACREAGE:	.956
CURRENT ZONING:	RS40
TYPE OF REVIEW REQ'D:	SUP
PROPOSED USE:	NEIGHBORHOOD CHURCH, SUP
EXISTING USE:	NEIGHBORHOOD CHURCH
JURISDICTION:	FORSYTH COUNTY
MIN. ZONING LOT:	40,000 SF
WIDTH:	100'
PROPOSED USE:	NEIGHBORHOOD CHURCH
JURISDICTION:	FORSYTH COUNTY
ACTUAL BUILDING HEIGHT:	28'-8"
MAX. BUILDING HEIGHT:	40'
FRONT SETBACK:	35'
BUFFER YARD TYPE:	1
SIDE YARD:	10' (25' COMBINED)
BUFFER YARD TYPE:	NA
REAR YARD:	40'
BUFFER YARD TYPE:	NA
STREET YARD:	20'
BUFFER YARD TYPE:	1
FENCE OPTION:	NO
ADJOINING ZONING:	RESIDENTIAL
SEATING CAPACITY:	121
REQ'D OFF STREET PARKING:	1 SP/4 SEATS = 30
PROPOSED OFF STREET PARKING:	30
HANDICAP ACCESSIBLE SPACES:	1
HC VAN ACCESSIBLE SPACES:	1
REQ'D LOADING/UNLOADING:	NA
INFRASTRUCTURE:	PRIVATE - SEPTIC AND WELL
WATERSHED CALCULATIONS:	SEE CIVIL DRAWINGS
SITE COVERAGES:	
TOTAL SITE ACREAGE:	.956
BUILDING TO LAND:	10.08%
ASPHALT TO LAND:	26.6%
GRAVEL PARKING TO LAND:	
TOTAL IMPERVIOUS:	36.68
OPEN SPACE:	61%
NEW BLDG. SF.	3,375 SF

CAPERNAUM CHURCH OF CHRIST

SHOWING TAX LOTS 069B AND 070 OF TAX BLOCK 4401
DB 2406 Pg 2438 & DB 1863 Pg 366
8790 LASATER ROAD 336-788-4224
LEWISVILLE TOWNSHIP * FORSYTH COUNTY * NORTH CAROLINA
DATE: MAY 27TH 2005 DRAWING NUMBER 05111

SURVEY PREPARED BY
THOMAS A. RICCIO AND ASSOCIATES
440 WEST END BOULEVARD
WINSTON-SALEM, NORTH CAROLINA 27101
336-773-0211

PURPOSE STATEMENT: THE PURPOSE OF THIS REQUEST IS FOR A SPECIAL USE PERMIT FOR EXPANSION OF INSTITUTIONAL PARKING IN A RESIDENTIAL AREA



ZONING Existing Zoning: RS-40 Proposed Zoning: Parking Special Use Permit Type of Review Requested: Special Use Permit (i.e. Rezoning, Planning Board Review, Preliminary Subdivision Approval, etc.)	OFF-STREET PARKING (if applicable) Proposed Use(s): Church Parking Lot Parking Calculation: 1 Spaces/4 Seats **Church is to have 117 Seats** Required Parking: 29 Spaces Parking Provided: 29 Spaces
SITE SIZE AND COVERAGES Total Acreage: 0.96 Acre(s) Site Coverages: Building to Land: 14.0 % Pavement to Land: 36.9 % Open Space: 47.1 % 100% Building Square Footage: (Maximum) Sq.Ft. Building Height: X Ft. or Stories	OFF-STREET LOADING (if applicable) Required Loading/Unloading Spaces: X Loading/Unloading Spaces Provided: X Size: Ft. X Ft. BUFFERYARDS (if applicable) Adjoining Zoning: RS-40 Type Required: TYPE I Width Provided: 10 Ft. Fence Option: Yes X No
INFRASTRUCTURE Water: X Public Private Sewer: X Public X Private Streets: X Public Private	DENSITY CALCULATIONS (if applicable) Number of Units or Lots: 1 Units/Lots Density: X Units/Acre or Lots/Acre
WATERSHED CALCULATIONS Total Site Square Footage: 41,657 Sq.Ft. Less: Existing Built Upon Area: 27,885 Sq.Ft. Vacant Land Area: 14,372 Sq.Ft. Maximum New Built Upon Area: 5,174 Sq.Ft. • WS-IV Balance of Watershed - 35% if no curb and gutter - 24% with curb and gutter • WS-III and WS-IV - 24% Reservoir Protection Area	(if applicable) - Excludes Salem Lake Total Maximum Coverage: 0 Sq.Ft. (Existing Built Upon Area Plus New Maximum Built Upon Area) Proposed Built Upon Area: 21,000 Sq. Ft.
WATERSHED CALCULATIONS Total Site Square Footage: 41,657 Sq.Ft. • 12% Reservoir Protection Area • 24% Balance of Watershed • 30% with Stormwater Controls	(if applicable) - Salem Lake Total Maximum Coverage: Sq.Ft. Less: Existing Built Upon Area: Sq.Ft. New Allowable Coverage: Sq.Ft.
OTHER INFORMATION OR NOTES (i.e. Use Condition Compliance Information or other Special Notes)	

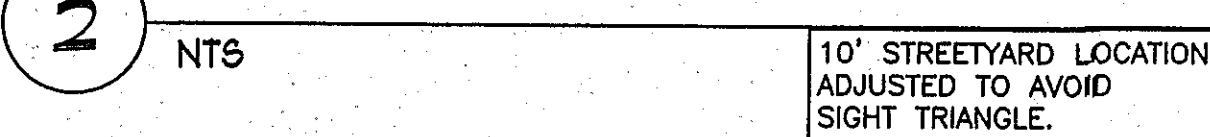
See Also Site Plan Checklist Forms 1, 2, or 3 for Other Required Site Plan Information

The revisions dated 10/8/06 consisted of revisions requested by the City of Winston-Salem Planning Department upon 2nd submittal. These Revisions were done by Kate Engineering.

The revisions dated 11/3/06 consisted of revising the map as requested by City officials.

The revisions dated 11/8/06 consisted of revising the map as requested by City officials.

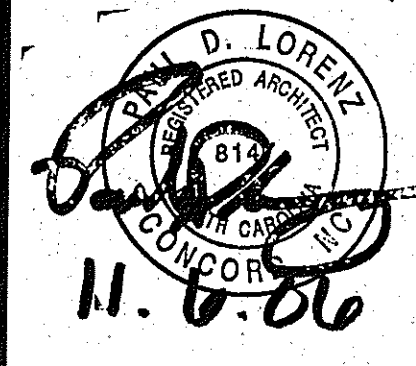
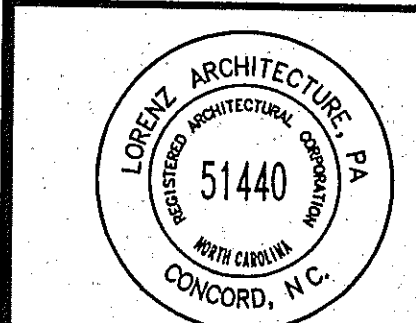
VICINITY MAP



NEW SITE PLAN

1" = 20'

LORENZ ARCHITECTURE
37 - C Union Street South
Concord, North Carolina 28025
(P) 704-793-9933 (F) 704-793-9933
www.lorenzarchitecture.com



REVISIONS:	DATE	DESCRIPTION
4	2.28.06	changes for planning board review
5	9.06.06	changes for site plan review
6	10.06.06	changes for 2nd submittal site plan review
	11.3.06	changes for as per City of Winston-Salem
	11.8.06	changes for as per City of Winston-Salem

PROJECT TITLE:
CAPERNAUM CHURCH OF CHRIST
CLEMMONS, NORTH CAROLINA
SHEET TITLE:
NEW SITE PLAN

DATE: JUNE 14, 2005
DRAWN BY: CJG
CHECKED BY: PDL

SHEET
NSP

F-1474
REVISED

- LEGEND**
- EIP Existing Iron Pipe
 - COM Compact Parking Space
 - MOTO Motorcycle Parking Space
 - BIKE Bicycle Parking Space

The topographic lines were scaled from the Winston-Salem Topographic website and are to be considered approximate only.

MARY ROBINSON: PO BOX 468 WINSTON SALEM, NC 27108
BLOCK/LOT: 4401 082A ZONING: RS40
PHONE NUMBER: 336-762-8014
DB 1450 Pg 105

MINNIS ALWOOD: 8795 LASATER RD. CLEMMONS NC
BLOCK/LOT: 4401 082B ZONING: RS40
PHONE NUMBER: 336-766-0078
DB 1480 Pg 1887

0.95631± ACRE
BY COORDINATE COMPUTATION