DOCKET #: F1437

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

EXISTING ZONING:
RS-9

PETITIONER:
Christ Temple Church for property owned by Same

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRE(S): 1.78

MAP(S): 654838
September 21, 2005

Christ Temple Church
2935 Cole Road
Winston-Salem, NC  27107

RE: SPECIAL USE PERMIT F-1437

Dear Sirs:

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, AICP
Director of Planning

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

MEETING DATE: ________________________  AGENDA ITEM NUMBER: _______

SUBJECT:-

A. Public Hearing on Special Use Permit of Christ Temple Church for the expansion of institutional parking in a RS-9 Zoning District: property is located on the southeast corner of Cole Road and Thamer Lane (Zoning Docket F-1437).

B. Approval of Special Use Permit

C. Approval of Site Plan

COUNTY MANAGER’S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

After consideration, the Planning Board recommended approval of the special use permit.

ATTACHMENTS:-  X YES  ___ NO

SIGNATURE: ____________________________  DATE: _____________

County Manager
COUNTY ORDINANCE - SPECIAL USE PERMIT

Special Use Permit of Christ Temple Church, Docket F-1437

AN ORDINANCE ISSUING A SPECIAL USE PERMIT FOR EXPANSION OF INSTITUTIONAL PARKING IN A RESIDENTIAL 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 Residential Zoning District in accordance with Section 6-1.5 of the Zoning Ordinance of the Unified Development Ordinances to Christ Temple Church to be established on the following described property:

Tax Block 2638, Tax Lots 1T & 3T

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

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 Christ Temple 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 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 Christ Temple Church, (Zoning Docket F-1437). 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 Residential Zoning District, approved by the Forsyth County Board of Commissioners the _____ day of _____________________, 19____" and signed, provided the property is developed in accordance with requirements of Section 2-5.19 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 ANY PERMITS:**
  a. Developer shall obtain a grading permit if the area of land disturbance exceeds 10,000 sf.
  b. Developer shall obtain a driveway permit from NCDOT.

• **OTHER REQUIREMENTS:**
  a. All new exterior lighting shall have a maximum height of 18’, utilize full cut-off fixtures, and be directed to minimize spill over onto adjacent residentially zoned property.
CITY-COUNTY PLANNING BOARD STAFF
STAFF REPORT FOR: Docket # F-1437
September 8, 2005

<table>
<thead>
<tr>
<th>Docket #</th>
<th>F-1437</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Christ Temple Church</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 1T and 3T Tax Block 2638</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Permit for the expansion of institutional parking in a RS-9 Zoning District</td>
</tr>
<tr>
<td>Zoning District Purpose Statement</td>
<td>The RS-9 District is primarily intended to accommodate relatively high density single family detached dwellings in urban areas. The minimum lot size in this district is 9,000 square feet (0.21 acre). This district is intended for application in GMAs 2, 3, and 4.</td>
</tr>
</tbody>
</table>

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

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

While the subject request is not explicitly included in the RS-9 District purpose statement, community scale churches are allowed as a Planning Board Review item within the RS-9 zoning district.

GENERAL SITE INFORMATION

| Location | Southeast corner of Cole Road and Thamer Lane |
| Jurisdiction | Forsyth County |
| Site Acreage | Approximately ± 1.78 acres |
| Current Land Use | Structure formerly used as a single family home and now used in conjunction with the petitioning church. |

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-9 and MH</td>
<td>Single family residential</td>
</tr>
<tr>
<td>East</td>
<td>RS-9</td>
<td>Neighborhood scale church</td>
</tr>
<tr>
<td>South</td>
<td>LI</td>
<td>Tarheel Paper</td>
</tr>
<tr>
<td>West</td>
<td>LI</td>
<td>Undeveloped</td>
</tr>
</tbody>
</table>

(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

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

Yes

Physical Characteristics

Site is partially developed and has a gentle to moderate slope downward from the south to the north.

Proximity to Water and Sewer

Public water and sewer are available to the site.
### Watershed and Overlay Districts

Site is not within the boundaries of a water supply watershed.

### Analysis of General Site Information

The site is located directly adjacent to the petitioning church along with industrially zoned and developed property to the south and west. Some single family homes are located between the subject property and I-40 to the north. 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.

### Recommended Conditions

PRIOR TO THE ISSUANCE OF ANY PERMITS:

- Developer shall obtain a grading permit if the area of land disturbance exceeds 10,000 sf.
- Developer shall obtain a driveway permit from NCDOT.

OTHER REQUIREMENTS:

- All new exterior lighting shall have a maximum height of 18’, utilize full cut-off fixtures, and be directed to minimize spill over onto adjacent residentially zoned property.

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 spaces</td>
<td>200 spaces (includes 39 new spaces)</td>
<td>Off street</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
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<tbody>
<tr>
<td>60% (75% with additional tree canopy coverage)</td>
<td>42.21%</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
</tr>
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<tbody>
<tr>
<td>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:</td>
</tr>
</tbody>
</table>

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; Not applicable as the site is located within the jurisdiction of Forsyth County. The proposed youth center is one story in height.

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 Cole Road provides good visibility to traffic traveling in
both directions.

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, revised site plan illustrates a pedestrian connection between the proposed parking adjacent to the proposed Youth Center to the main sanctuary.

7. 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.

In addition to these findings by the Planning Board, the County Commissioners 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. Churches can have a stabilizing effect on neighborhoods.

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.

<table>
<thead>
<tr>
<th>Analysis of Site Plan Compliance with UDO</th>
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<tbody>
<tr>
<td>Revised site plan meets UDO requirements. It provides: a pedestrian connection between the proposed parking adjacent to the proposed Youth Center to the main sanctuary; a type</td>
</tr>
</tbody>
</table>
### Requirements
bufferyard wherever the entire church campus abuts residentially zoned property; and reduces the number of curb cuts onto Cole Road.

### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Added parking would enable the expansion of an institutional use.</td>
<td></td>
</tr>
</tbody>
</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

**PRIOR TO THE ISSUANCE OF ANY PERMITS:**

a. Developer shall obtain a grading permit if the area of land disturbance exceeds 10,000 sf.
b. Developer shall obtain a driveway permit from NCDOT.

### OTHER REQUIREMENTS:

a. All new exterior lighting shall have a maximum height of 18’, utilize full cut-off fixtures, and be directed to minimize spill over onto adjacent residentially zoned property.

### 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: Jerry Clark moved approval of the zoning map amendment.
SECOND: Paul Mullican
VOTE:

  FOR: Clark, Curtis, Eickmeyer, Glenn, King, Mullican, Smith
  AGAINST: None
  EXCUSED: None
According to information provided by the Office of the Tax Assessor on July 29, 2005, the subject property was in the name of Christ Temple Church.

A. Paul Norby, AICP
Director of Planning