



DOCKET #: W3172

PROPOSED ZONING:
RM8-L

EXISTING ZONING:
RS9

PETITIONER:
JCM Wake Forest Acquisitions
Inc. for property owned by Same

SCALE: 1" represents 200'

STAFF: King

GMA: 3

ACRES: 0.24

**NEAREST
BLDG:** 27' south

MAP(S): 612866, 612870
618866, 618870





March 20, 2013

Jcm Wake Forest Acquisitions, Inc.
50 Resnik Road, Apt/Unit 30
Plymouth, MA 02560

Re: Zoning Petition W-3172

Bryce A. Stuart Municipal Building
100 E. First Street
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.748.3163
www.cityofws.org/planning

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, FAICP
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102
Doug Stimmel, 601 N. Trade Street, Winston-Salem, NC 27101

City Council: Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; Molly Leight, South Ward; Wanda Merschel, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

Forsyth County Commissioners: Richard V. Linville, Chairman; Gloria D. Whisenhunt, Vice Chair; Mark Baker; Walter Marshall; David R. Plyler, Bill Whiteheart; Everette Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; L. Wesley Curtis, Jr., AIA, Vice-Chair; Clarence R. Lambe, Jr.; Darryl Little; Barry A. Lyons; Lynne Mitchell; Paul W. Mullican; Brenda J. Smith; Allan Younger



Call 311 or 336-727-8000
citylink@cityofws.org

ACTION REQUEST FORM

DATE: March 20, 2013
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning petition of Jcm Wake Forest Acquisitions, Inc.

SUMMARY OF INFORMATION:

Zoning petition of Jcm Wake Forest Acquisitions, Inc. from RS9 to RM8-L (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; and Planned Residential Development): property is located on the southwest corner of Owen Drive and Quincy Drive (Zoning Docket W-3172).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED

CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of Jcm Wake Forest Acquisitions, Inc., Docket W-3172

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 RS9 to RM8-L (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; and Planned Residential Development) the zoning classification of the following described property:

PIN #6817-70-9343

Section 2. This Ordinance is adopted after approval of the Special Use Limited District Permit issued by the City Council the _____ day of _____, 20___ to Jcm Wake Forest Acquisitions, Inc.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Jcm Wake Forest Acquisitions, Inc. Said Special Use Limited District Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE LIMITED DISTRICT PERMIT

SPECIAL USE LIMITED DISTRICT 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 Limited District Permit for the zoning petition of Jcm Wake Forest Acquisitions, Inc., (Zoning Docket W-3172). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; and Planned Residential Development, approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the RM8-L 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:

- **OTHER REQUIREMENTS:**

- a. The existing principal structure currently located on-site shall remain.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3172
Staff	Aaron King
Petitioner(s)	Jcm Wake Forest Acquisitions, Inc.
Owner(s)	Same
Subject Property	PIN # 6817-70-9343
Address	2536 Owen Drive
Type of Request	Special use limited rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS9 (Residential Single Family; 9,000sf lot size) to RM8-L (Residential Multifamily; up to 8 du/ac – special use limited zoning). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; and Planned Residential Development <p>NOTE: General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.</p>
Neighborhood Contact/Meeting	No neighborhood meeting has been held as of this writing.
Zoning District Purpose Statement	The RM8 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 GMAs 2 (Urban Neighborhoods) and 3 (Suburban Neighborhoods) 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(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?
	Yes, the site is located within GMA 3 and has access to public infrastructure. The site is also adjacent to the Deacon Station development which is zoned RM8-S.
GENERAL SITE INFORMATION	
Location	Southwest corner of Owen Drive and Quincy Drive
Jurisdiction	City of Winston-Salem
Ward(s)	Northwest

Site Acreage	± 0.24 acres			
Current Land Use	Single family home			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	RM8-S	Deacon Station multifamily units (currently under construction)	
	East	RS9	Single family homes	
	South	RS9		
West	RM8-S	Deacon Station multifamily units		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Yes, the uses proposed in this request would be compatible with the surrounding mixture of residential uses.			
Physical Characteristics	The site is currently developed with a single family home and a detached garage.			
Proximity to Water and Sewer	The site has access to public water and sewer.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The site is not located within a water supply watershed.			
Analysis of General Site Information	The subject property is currently developed with a single family home and detached garage. The architecture of the home matches the units contained within the Deacon Station development and was built during the first phase of construction.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Owen Drive	Local Street	+/- 76'	NA	NA
Quincy Drive	Local Street	+/- 202'	NA	NA
Proposed Access Point(s)	The site has public road frontage on two public streets.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS9</u> 0.24 x 43,560/9,000 = 1 unit x 9.57 (Single Family Home Trip Rate) = 10 Trips per Day			
	<u>Proposed Zoning: RM8-S</u> 1 multifamily unit x 6.59 (Multifamily Trip Rate) = 7 Trips per Day			
Sidewalks	Sidewalks have been constructed on the opposite side of Quincy Drive.			
Transit	Route 16 runs along Reynolda Road approximately 500' to the northeast.			

Analysis of Site Access and Transportation Information	Staff does not anticipate any significant increase in traffic from this request. The site has been developed with multiple parking pads to accommodate parking needs.					
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA	Growth Management Area 3 – Suburban Neighborhoods					
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Legacy recommends promoting quality design so that infill does not negatively impact surrounding development. 					
Relevant Area Plan(s)	<i>West Suburban Area Plan (2011)</i>					
Area Plan Recommendations	<ul style="list-style-type: none"> This site is located in an area recommended on the proposed land use map for single family residential use. 					
Other Applicable Plans and Planning Issues	Per comments from the Inspections Department: A bufferyard will be required adjacent to RS zoning.					
Addressing	If this building is changed from single family to a duplex, a floor plan will be needed in order to assign an additional address for the second unit.					
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?					
	Yes					
	(R)(4) - Is the requested action in conformance with Legacy?					
Yes						
Analysis of Conformity to Plans and Planning Issues	<p>The site is located within an area that is composed of single family homes constructed in the 1950s, quadraplex units constructed in the mid 1990s, and townhouse units constructed within the last two years. The structure located on the subject property was constructed as a single family home in 2011. Approval of this rezoning would allow the subject property to become part of the overall zoning lot for the Deacon Station multifamily units. It would allow monument signage for Deacon Station to be placed on this property. In addition, the existing structure could be converted into any of the proposed residential uses included with this request.</p> <p>The <i>West Suburban Area Plan</i> does recommend the subject property for use as single family residential. While this request would permit residential uses other than single family, staff supports the request. The site is located in a neighborhood that consists of a mixture of RS9, RM8-S, and RM12-S zonings.</p>					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3137	RS9 & RM8 to RM8-S	Approved 4/2/12	North	1.42	Approval	Approval
W-2994	RS9 to RM8-S	Approved 11/3/08	West	9.23	Approval	Approval

UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.2(L) RM8 District 	
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:	Yes
	(B) Environmental Ord.	Yes
	(C) Subdivision Regulations	NA
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
The site is located adjacent to existing multifamily zoning.		The request would permit multifamily uses that are not consistent with the area plan recommendations.
Traffic impacts should be minimal.		
<i>Legacy</i> supports infill development that is compatible with existing residential areas.		
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.		
<ul style="list-style-type: none"> <u>OTHER REQUIREMENTS:</u> <ol style="list-style-type: none"> The existing principal structure currently located on-site shall remain. 		

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.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3172
MARCH 14, 2013**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning petition.

SECOND: Wesley Curtis

VOTE:

FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning