

DOCKET #: W3178

PROPOSED ZONING:
RSQ-S

EXISTING ZONING:
RS7

PETITIONER:
Tina Bennett for property
owned by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 2

ACRES: 0.68

**NEAREST
BLDG:** 19' north

MAP(S): 630874



**CITY-COUNTY PLANNING BOARD
DRAFT STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3178
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Tina Bennett
Owner(s)	Same
Subject Property	PIN #6837-46-8511
Address	4430 Ogburn Avenue
Type of Request	Special use rezoning from RS7 to RSQ-S
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS7 (Residential, Single Family district; 7,000 sf minimum lot size) to RSQ-S (Residential Single Family Quadraplex district). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Townhouse and Residential Building, Multifamily
Neighborhood Contact/Meeting	According to emails received from the petitioner on 3-25-13: "I have spoken with 3 homeowners and 2 landlords. I explained what is happening with the rezoning and my plans for the property. Everyone appeared to be fine with it... I have 3 more home owners to visit...I was able to speak to 2 more homeowners this afternoon. They too appeared to be supportive in my intentions for the property."
Zoning District Purpose Statement	The RSQ District is primarily intended to accommodate predominantly single family areas containing a mixture of single family detached dwellings, duplexes, triplexes, and quadraplexes in urban neighborhoods and in areas with adequate infrastructure to support more intense development. This district is intended for application in GMAs (Growth Management Areas) 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)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is located within the Urban Neighborhoods GMA, along a minor thoroughfare and within an area where there is a mixture of a single family detached dwellings and duplexes.</p>
GENERAL SITE INFORMATION	
Location	West side of Ogburn Avenue, north of Kapp Street
Jurisdiction	City of Winston-Salem
Ward(s)	Northeast
Site Acreage	± .68 acre

Current Land Use	An unoccupied single family residential structure is currently located on the site.			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	RS7	Single family residential	
	East	RS7	Single family residential	
	South	RS7	Multifamily residential	
	West	LI	Bryant's Truck and Trailer Repair	
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, due to the limited scale of the proposed multifamily building and the location of the parking, the use is compatible with the uses permitted on the surrounding properties.			
Physical Characteristics	The site has a gentle to moderate slope downward to the northwest. The rear half of the site is wooded.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
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 which has been used for multifamily purposes for many years. The site includes no regulatory floodplains, steep slopes, or watersheds and meets the dimensional requirements for the proposed RSQ-S district.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Ogburn Avenue	Minor Thoroughfare	100'	2,700	13,800
Proposed Access Point(s)	The proposed driveway would be from Ogburn Avenue.			
Planned Road Improvements	The <i>Comprehensive Transportation Plan</i> recommends a three lane cross section with wide outside lanes, curb and gutter, and sidewalk for this section of Ogburn Avenue.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS7</u> .68 acre x 43,560 / 7,000 = 3 units x 9.57 (SFR Trip Rate) = 29 Trips per Day			
	<u>Proposed Zoning: RSQ-S</u> 1 quadraplex = 4 units x 6.59 (Multifamily Trip Rate) = 26 Trips per Day.			
Sidewalks	There are no sidewalks located in the general area.			
Transit	Route 9 runs along Ogburn Avenue.			

Analysis of Site Access and Transportation Information	The site fronts on a minor thoroughfare and the anticipated trip generation is comparable to what could occur under the current zoning. A driveway permit from City of Winston-Salem Public Works Department will be required.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	Growth Management Area 2 - Urban Neighborhoods.
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • Growth concentrated in GMA 2 is more cost effective from a public service delivery standpoint, reduces the pressure for development in the Future Growth Area, preserves open space and rural areas, and avoids traffic congestion and costly new infrastructure. • Legacy recommends bringing older housing up to code. • Promote the concept of gentle density in existing neighborhoods.
Relevant Area Plan(s)	<i>Northeast Suburban Area Plan (2011)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The site is located in an area that has a mixture of housing densities, but is recommended for single-family residential use in the Area Plan.
Addressing	There are no addressing or street naming concerns.
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?
	No
	(R)(4) - Is the requested action in conformance with Legacy?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The request is to rezone the subject property from RS7 to RSQ-S in order to use the existing single family residential structure as a quadraplex. The property has multiple electric meters on the back of the house and exterior stairs to the upper level unit and has been used for multifamily purposes for many years. However, in the land use inventory for the <i>Northeast Suburban Area Plan</i>, the apparent use for multiple residential units was not detected and therefore the property was not recommended for rezoning as was the adjacent RS7 zoned lot directly south. The parking for the subject property has historically been in the front yard. The proposed site plan would remove this parking area and place the required seven spaces in the rear yard where they will have less visual impact on the neighborhood. Planning staff has requested that the developers note on the site plan that the existing gravel in the front yard be removed and planted with grass.</p> <p>Legacy recommends the concept of gentle density in the Urban Neighborhoods GMA and bringing older housing up to code. If approved, the structure would need to comply with the applicable building codes for multifamily residential.</p>

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1178	R3 to R2-S (RM12-S)	Approved 12-3-84	200' south	1.19	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	1,748		Front portion close to Ogburn Avenue			
Units (by type) and Density	4 units on .68 acre = 6 units per acre					
Parking	Required	Proposed	Layout			
	7 spaces	7 spaces	Located behind the principal structure			
Building Height	Maximum		Proposed			
	40'		1 ½ stories			
Impervious Coverage	Maximum		Proposed			
	NA		20%			
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.2 (J) Residential Single Family Quadraplex district 					
Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy</i> policies:		Yes			
	(B) <i>Environmental Ord.</i>		NA			
	(C) <i>Subdivision Regulations</i>		NA			
Analysis of Site Plan Compliance with UDO Requirements	The proposed site plan depicts the existing single family structure located on the site along with seven new parking spaces which would be located in the rear yard. The site plan complies with the requirements of the UDO.					
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The request is consistent with the recommendations of <i>Legacy</i> in regard to residential infill development within GMA 2.			The request would allow multifamily residential beside single family homes.			
The request is consistent with the purpose statement of the proposed RSQ district.						
The site has a history of being used as a quadraplex.						
The request is generally compatible with the surrounding development pattern.						

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.

- **PRIOR TO THE ISSUANCE OF ZONING PERMITS:**
 - a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department. Required improvements include:
 - Dedicate 35' of right-of-way from the center line of Ogburn Avenue.

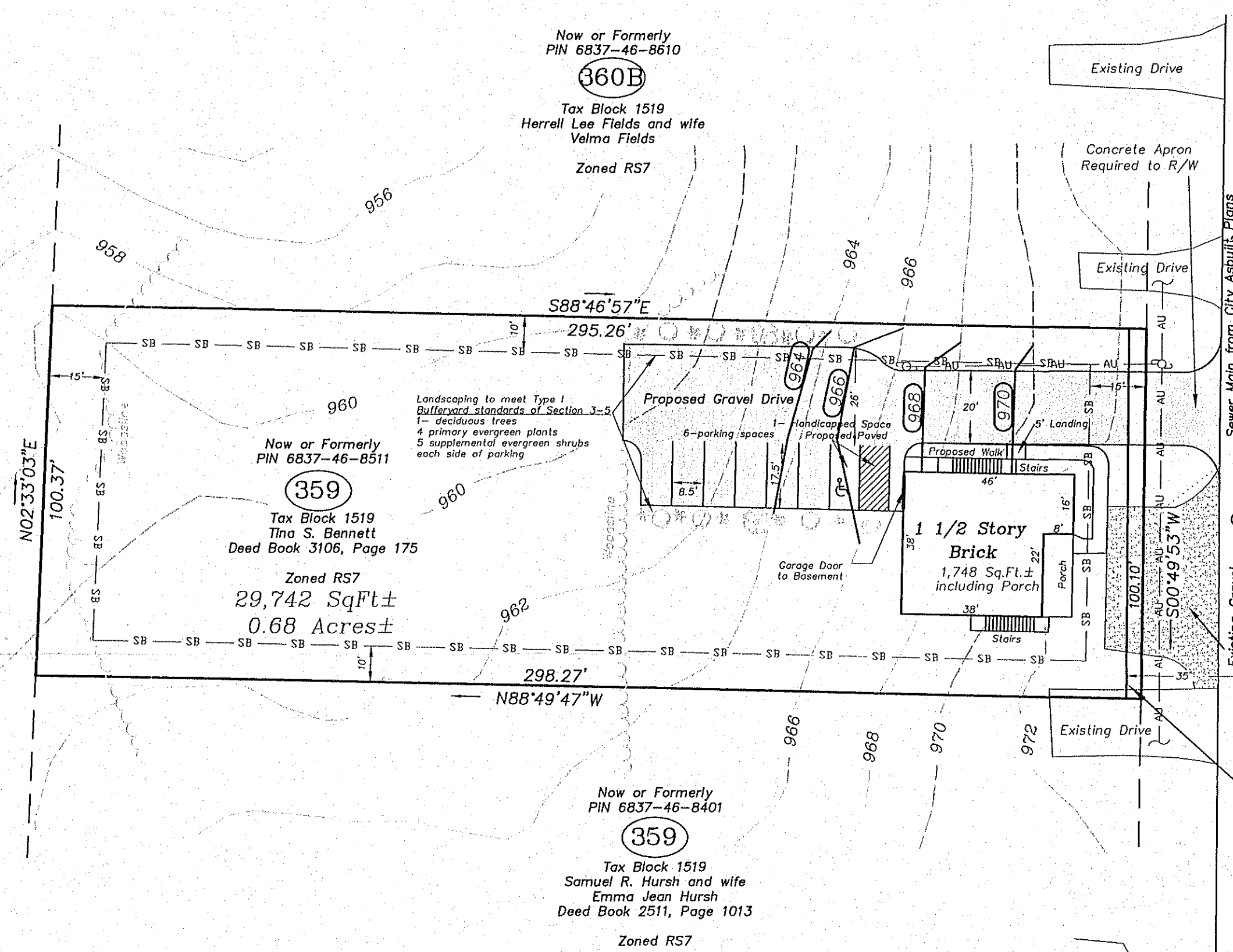
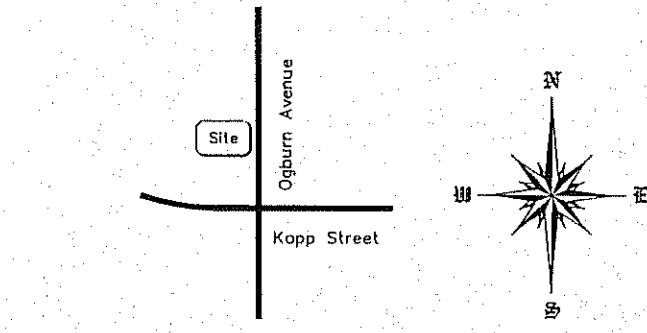
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. All requirements of the City of Winston-Salem driveway permit shall be completed.

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.**

Legend

- Deciduous Tree
- Primary Evergreen Plant
- Supplemental evergreen shrub
- Power Pole
- Aerial Utility Line
- Sewer Main (from asbuilts)
- Waterline (from asbuilts)
- Treeline
- Proposed Handicap Parking
- Proposed Contour
- Fire Hydrant



Now or Formerly
PIN 6837-46-3497
3C
Tax Block 6211
Innovative Management System, Inc.
Deed Book 2416, Page 70
Zoned LI

Now or Formerly
PIN 6837-46-8511
359
Tax Block 1519
Tina S. Bennett
Deed Book 3106, Page 175
Zoned RS7
29,742 SqFt±
0.68 Acres±

Now or Formerly
PIN 6837-46-8610
360B
Tax Block 1519
Herrell Lee Fields and wife
Valma Fields
Zoned RS7

Now or Formerly
PIN 6837-46-8401
359
Tax Block 1519
Samuel R. Hursh and wife
Emma Jean Hursh
Deed Book 2511, Page 1013
Zoned RS7

Now or Formerly
PIN 6837-56-1661
375
Tax Block 1525
Maria Magdalena Alcantara Garcia
Deed Book 2879, Page 1696
Zoned RS7

Now or Formerly
PIN 6837-56-1561
376
Tax Block 1525
Frances G. Greiner
Deed Book 1635, Page 4252
Zoned RS7

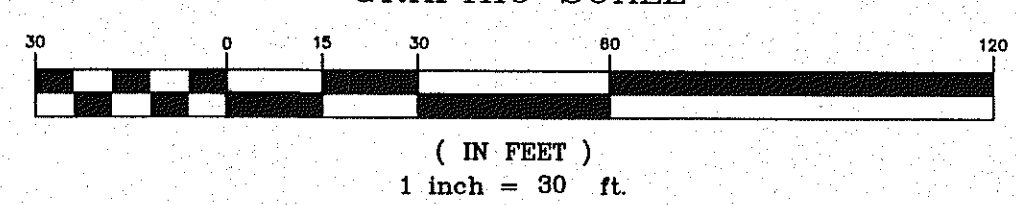
Now or Formerly
PIN 6837-56-1462
377
Tax Block 1525
Kenneth Golsby and
Denise Golsby
Deed Book 1967, Page 2629
Zoned RS7

Notes:

- 1) THIS IS NOT A BOUNDARY SURVEY.
- 2) This property is subject to any easements, agreements, or rights-of-way of record prior to the date of this map which were not apparent at the time of my inspection and might otherwise be disclosed by an attorney's title opinion which as of date shown hereon has not been supplied to Brady Surveying Company, P.A. There may be easements or other matters of record affecting this property not shown hereon.
- 3) Map drawn from maps and deeds of record. Topographic survey and planimetric taken from aerial topographic maps supplied by City of Winston-Salem.
- 4) Handicap parking space to conform to N. C. Building Code.
- 5) Fire Hydrant is within 500' of the most remote section of the Building.
- 6) Right-of-way along Ogburn Avenue will be dedicated 35' from centerline of roadway.
- 7) Travel distance for Fire Department is 140' from existing Right-of-way.

<p>REVIEW INFORMATION</p> <p>Type of Review <input checked="" type="checkbox"/> Special Use Rezoning</p> <p>Jurisdiction City of Winston-Salem</p> <p>Purpose of Statement: The purpose of this request is to rezone property from RS7 to RSQ-5</p>	<p>ZONING</p> <p>Existing Zoning RS7 Proposed Zoning RSQ-5</p> <p>Proposed Uses - Residential Building, Multifamily; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home</p>	<p>OFF-STREET PARKING</p> <p>Proposed Use - Residential Building, Multifamily</p> <p>Required Parking 7 Spaces Parking Provided 7 Spaces</p> <p>3 Units - 1 bedroom 1 Unit - 2 bedroom</p>
<p>INFRASTRUCTURE</p> <p>Water Public Sewer Public Streets Public</p>	<p>DENSITY CALCULATIONS</p> <p>Number Units 4 Units Density 5.88 Units per Acre</p>	<p>BUFFERYARDS</p> <p>All parking shall be set back at least five (5) feet off the property line. The intervening five (5) feet shall be landscaped to meet the type 1 bufferyard standards of Section 3-5</p>
<p>SITE SIZE AND COVERAGE</p> <p>Total Acreage 0.68 Acres (29,742 Sq. Ft.) Site Coverages:</p> <p>Building to Land 6% Pavement to Land 14% Open Space 80%</p> <p>Building Square Footage: 1,748 including Porch Building Height: 1½ Story</p>	<p>PROPERTY INFORMATION</p> <p>PIN 6837-46-8511</p> <p>Lot 359, Tax Block 1519 Deed Book 3106, Page 175</p> <p>OWNER AND DEVELOPER: Tina Bennett 4702 Old Rural Hall Road Winston-Salem, N. C. 27105 Phone No. 336-655-5966 mricemn@yahoo.com</p>	

Site Plan for Rezoning
Tina S. Bennett
Winston Township
Forsyth County, North Carolina
March 8, 2013
GRAPHIC SCALE



Brady Surveying Company, P.A. C-583
2990 Bethesda Place, Suite 601-B
Winston-Salem, North Carolina 27103
Phone No. (336) 760-2716
Fax No. (336) 760-4529
dru@bradysurveying.com

Revisions			
NO.	DATE	DESCRIPTION	BY
1	4/3/13	Site Plan review comments	db

W-3178 Revised File Copy

W. Max Brady, Jr.
Professional Land Surveyor
L-2578