



DOCKET #: W3021

PROPOSED ZONING:
RS9

EXISTING ZONING:
LB-S

PETITIONER:
Zachary T. Smithdeal
for property owned
by Same

SCALE: 1" represents 200'

STAFF: King

GMA: 3

ACRES: .35

**NEAREST
BLDG:** 3' west

MAP(S): 606838

F

March 25, 2009

Zachary T. Smithdeal
121 Hewes Street
Winston-Salem, NC 27103

RE: Zoning Map Amendment W-3021

Dear Mr. Smithdeal:

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

ACTION REQUEST FORM

DATE: March 25, 2009
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning map amendment of Zachary T. Smithdeal

SUMMARY OF INFORMATION:

Zoning map amendment of Zachary T. Smithdeal from LB-S (Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Building Contractors, Heavy; ABC Store; Building Material Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; and Medical and Surgical Offices) to RS-9: property is located on the south side of Hewes Street, west of Stratford Road (Zoning Docket W-3021).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Zachary T. Smithdeal, Docket W-3021

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 LB-S (Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Building Contractors, Heavy; ABC Store; Building Material Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; and Medical and Surgical Offices) to RS-9 the zoning classification of the following described property:

PIN #6804-91-9750

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3021
Staff	Aaron King
Petitioner(s)	Zachary T. Smithdeal
Owner(s)	Same
Subject Property	PIN #6804-91-9750
Address	121 Hewes Street
Type of Request	General use rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LB-S (Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Building Contractors, Heavy; ABC Store; Building Material Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; Medical and Surgical Offices) to RS-9 (Residential Single Family; 9,000 sf lot size).</p> <p>NOTE: Both general 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>
Zoning District Purpose Statement	The RS-9 District is primarily intended to accommodate relatively high density single family detached dwellings in urban areas. This district is intended for application in Growth Management Areas 2 and 3, and may be suitable in 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(S)	<p>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the subject property is located in GMA 3 and has access to public water and sewer.</p>
GENERAL SITE INFORMATION	
Location	South side of Hewes Street, west of Stratford Road
Jurisdiction	City of Winston-Salem
Ward(s)	Southwest
Site Acreage	Approximately ± 0.35 acres
Current Land Use	Existing single family home and associated accessory building

Surrounding Property Zoning and Use	Direction	Zoning District		Use
	North	RS-9		Single family homes & church
	East	HB-S		Pest control business
	South	LB-S		Undeveloped land
	West	RS-9		Single family home
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, the RS-9 district would be compatible with the existing development pattern in the area.			
Physical Characteristics	The property slopes down moderately from north to south.			
Proximity to Water and Sewer	The site has access to public water and sanitary sewer.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The subject property is not located within a water supply watershed.			
Analysis of General Site Information	The subject property was rezoned to B-3-S (converted to LB-S) in 1989. The approved site plan proposed a one-story, 726 square foot building along with two accessory buildings totaling 604 square feet. The site currently contains a single family home along with a large accessory building located on the southern portion of the property.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Hewes Street	Local Road	121 feet	NA	NA
Proposed Access Point(s)	Since this is a general use request, the exact location of access points is unknown. However, the site does have public road frontage.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: LB-S</u> $726 / 1,000 \times 362.2$ (Convenience Market Trip Rate) = 262 Trips per Day <u>Proposed Zoning: RS-9</u> 1 SF home = 10 trips per day			
Sidewalks	None existing			
Transit	Route 19 runs along Stratford Road			
Traffic Impact Study (TIS)	Not required			
Analysis of Site Access and Transportation Information	Staff does not anticipate any negative transportation impacts from this request.			

CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA	GMA 3 (Suburban Neighborhoods)					
Relevant Area Plan(s)	<i>Southwest Suburban Area Plan (2008)</i>					
Area Plan Recommendations	The <i>Southwest Suburban Area Plan (SSAP)</i> recommends this site for office zoning.					
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?					
	No					
	(S)(4) - Is the requested action in conformance with Legacy?					
Yes, see explanation below						
Analysis of Conformity to Plans and Planning Issues	Although the <i>Southwest Suburban Area Plan (SSAP)</i> recommends office uses for this site, staff views this RS-9 request as also being suitable at this location because the site is developed with a single family home.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2737	HB & RS-9 to LB-S	Approved 1/3/05	South	1.89	Approval	Approval
W-1589	R-6 to B-3-S (LB-S)	Approved 7/17/89	Subject property	0.35	Approval	Approval
W-1493	R-6 to B-3-S (HB-S)	Approved 1/4/88	East	1.67	Denial	Approval
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.2(H) RS-9 District 					
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:			Yes		
	(B) Environmental Ord.			NA		
	(C) Subdivision Regulations			NA		
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
RS-9 zoning is compatible with the general area.			The <i>Southwest Suburban Area Plan</i> recommends office use for this site.			
The site currently contains a single family home.						
Potential trip generation would be reduced.						

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: Wesley Curtis moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Lynne Mitchell

VOTE:

FOR: Jerry Clark, Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning