



DOCKET #: W3010

PROPOSED ZONING:
PB

EXISTING ZONING:
RS9

PETITIONER:
Charlie D. Wall Jr. and Carolyn
H. Wall for property owned by
Same

SCALE: 1" represents 300'

STAFF: King

GMA: 2

ACRES: .70

**NEAREST
BLDG:** 13' west

MAP(S): 630878

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

PETITION INFORMATION	
Docket #	W-3010
Staff	Aaron King
Petitioner(s)	Charlie D. Wall, Jr. and Carolyn H. Wall
Owner(s)	Same
Subject Property	Tax Lot 116, Tax Block 2212
Type of Request	General use rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 (Residential Single Family; 9,000 sf lot size) to PB (Pedestrian Business).</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	<p>The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.</p>
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 2 and the site already contains buildings pulled up to the street, consistent with the intent of the PB district.</p>
GENERAL SITE INFORMATION	
Location	South side of Old Rural Hall Road at Oak Summit Road
Jurisdiction	City of Winston-Salem
Ward(s)	Northeast
Site Acreage	Approximately ± 0.70 acres
Current Land Use	One existing commercial building and one existing residential building that appears to be a triplex.

Surrounding Property Zoning and Use	Direction	Zoning District		Use
	North	RS-9		Single family homes
	East			
	South			
West	RS-9 & LB		Single family homes and 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, many of the uses allowed in the PB district are consistent with the surrounding area.			
Physical Characteristics	The site is currently developed and contains a gentle slope downward to the south.			
Proximity to Water and Sewer	The subject property has access to public water and 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 site contains an older brick building that was originally built for commercial use and has operated as a nonconforming use throughout the years. A residential building is also located on the site. Inspections has verified that over the course of time, the structure has lost its nonconforming status. The site does not appear to pose any development issues.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Old Rural Hall Road	Minor Thoroughfare	+/- 120 feet	2,100	16,100
Oak Summit Road	Minor Thoroughfare	+/- 142 feet	5,800	16,100
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.			
Planned Road Improvements	The Thoroughfare Plan recommends that Oak Summit Road and Old Rural Hall Road be developed as a three lane cross-sections with curb and gutter and sidewalks.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS-9</u> $0.70 \times 43,560/9,000 = 3 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 30 \text{ Trips per Day}$ <u>Proposed Zoning: PB</u> No trip generation numbers available for general use PB zoning.			

Sidewalks	None existing
Transit	Route 9 runs along Old Rural Hall Road in this area.
Traffic Impact Study (TIS)	Not required
Analysis of Site Access and Transportation Information	Staff does not anticipate any negative transportation impacts from this request. Since this is a general use zoning request, no site plan is available to review how ingress/egress and parking is handled. However, prior to development, a site plan would be required for the proper permits and the driveway permit requirements would likely require modifying the site layout to a single point of ingress/egress to a parking lot. This would help to control traffic movement adjacent to this intersection.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	GMA 2 (Urban Neighborhoods)
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • <i>Legacy</i> encourages convenient commercial services to support neighborhood needs. It promotes economic development which is compatible with existing residential neighborhoods.
Relevant Area Plan(s)	<i>Carver Road/Ogburn Station Development Guide (1991)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • Site forms part of an area designated for low-density residential use
Other Applicable Plans and Planning Issues	The subject property was designated by the City as being in an Operation Impact area. Operation Impact is a partnership between neighborhood organizations and local government to improve blighted neighborhoods by dealing effectively with nuisance properties. Operation Impact coordinates the response of City and County departments that in the past have dealt separately when citing property owners for violations of nuisance ordinances. Neighborhoods play a pivotal role by identifying nuisance properties and supporting court proceedings when necessary. This site was inspected by the City's Operation Impact team on March 25, 2008.
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 <i>Legacy</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	While the <i>Carver Road/Ogburn Station Development Guide</i> recommends the site for low density residential use, staff is supportive of PB zoning at this location. The key reason for staff's support of this request is the presence of existing commercial and multifamily residential buildings on-site. In staff's opinion the PB request will allow the site to be retrofitted with the appropriate zoning for what is actually built. Staff also views this request as

		being consistent with the purpose statement of the PB district, with existing buildings pulled up to the street with parking located to the side or rear of the building. Staff would not be supportive of additional commercial rezonings in the area that are inconsistent with the area plan recommendations.				
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2949	RS-9 to MH-L	Approved 9/13/07	East	0.34	Approval	Approval
UDO Sections Relevant to Subject Request		<ul style="list-style-type: none"> Section 2-1.3(F) PB 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			
The request is consistent with the general recommendations of <i>Legacy</i> .			The <i>Carver Road/Ogburn Station Development Guide</i> identifies this area for low density residential.			
The site was developed for commercial use and still retains a commercial building.						
Existing buildings are pulled up to the street.						
The request is consistent with the PB purpose statement.						

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.**