



DOCKET #: W2673

PROPOSED ZONING:
RM12

EXISTING ZONING:
LB-S

PETITIONER:
Ronald B. Creasy and
Barbara M. Creasy
for property owned by same

SCALE: 1" represents 600'

STAFF: Hall

GMA: 3

ACRE(S): 13.33

MAP(S): 630834



February 18, 2004

Ronald B. Creasy, Sr. and Barbara M. Creasy
3538 N. Lakeshore Drive
Clemmons, NC 27012

RE: ZONING MAP AMENDMENT W-2673

Dear Mr. Creasy and Ms. Creasy:

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, AICP
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102

ACTION REQUEST FORM

DATE: February 18, 2004
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Ronald B. Creasy, Sr. and Barbara M. Creasy

SUMMARY OF INFORMATION:

Zoning map amendment of Ronald B. Creasy, Sr. and Barbara M. Creasy from LB-S to RM-12: property is located on the west side of Konnoak Drive south of Skyview Drive (Zoning Docket W-2673).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Ronald B. Creasy, Sr. and
Barbara M. Creasy, Docket W-2673

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 [Formerly B-3-S (Eating Establishments; Laundries or Dry Cleaning Services; Medical, Dental, or Related Services; Offices; Services; Signs: Ground on premise and wall; and Stores or Shops) TWO PHASE] to RM-12 the zoning classification of the following described property:

BEGINNING at a point in the west right-of-way of Konnoak Drive, said point being at the southeast corner of Tax Lot 521, Tax Block 2019 and also said point being at the northeast corner of Tax Lot 510, Tax Block 2019; thence with the north line of Tax Lot 510 and falling in with the north line of Tax Lot 502, Tax Block 2019 north 87° 59' 58" west 1,028.32 feet to a point in the north line of Tax Lot 502; thence a new line across Tax Lot 522 north 1° 48' 10" east 591.20 feet to a point in the south line of Tax Lot 2N, Tax Block 2019; thence with south line of Tax Lot 2N south 85° 34' 01" east 446.34 feet to a point; thence with the south line of Tax Lot 2N and falling in with the south line Tax Lot 1N south 88° 04' 46" east 540.15 feet to a point at northeast corner of Tax Lot 522, Tax Block 2019; also said point being at the southwest corner of Tax Lot 1N and said point being in the west right-of-way of Konnoak Drive; thence with west right-of-way of Konnoak Drive south 2° 25' 08" east 574.72' to the point and place of BEGINNING containing 13.33 acres. Said parcel being Tax Block 2019, Tax Lots 520 and 521 and part of 522.

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2673
STAFF: S. Chad Hall

Petitioner(s): Ronald B. Creasy, Sr. and Barbara M. Creasy
Ownership: Same

REQUEST

From: LB-S Limited Business District [Formerly B-3-S (Eating Establishments; Laundries or Dry Cleaning Services; Medical, Dental, or Related Services; Offices; Services; Signs: Ground on premise and wall; and Stores or Shops) TWO PHASE]
To: RM-12 Residential Multifamily District; maximum density 12 units/acre

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

NOTE: This is a general use zoning petition; therefore, ALL uses permitted in the above requested district should be considered.

Acreage: 13.33 acres

LOCATION:

Street: West side of Konnoak Drive south of Skyview Drive
Jurisdiction: City of Winston-Salem
Ward: Southeast

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: The site was formerly a drive-in theater, but no structures are remaining on site.

Adjacent Uses:

North:	Developed residential zoned RS-9.
Northeast:	Developed residential fronting Konnoak Drive zoned RS-9. HB-S fronting Main Street.
East:	Miscellaneous businesses zoned LB.
Southeast:	Miscellaneous businesses zoned LB.
South:	One tier of LB zoned property fronting Main Street; undeveloped RS-9.
West:	Mostly developed residential zoned RS-9.

GENERAL AREA

Character/Maintenance: Moderately well maintained homes and businesses.

Development Pace: Slow, as much of the surrounding area is established.

HISTORY

Relevant Zoning Cases:

1. W-2593; LB to HB-S (Outdoor Display Retail; Motor Vehicle Repair and Maintenance; and Motor Vehicle, Body or Paint Shop; Building Materials Supply; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Implement Sales and Service; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Medical or Dental Laboratory; Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Recreation Services, Indoor; Building Contractors, General; Motor Vehicle, Storage Yard; Offices, Miscellaneous; Storage Services, Retail; Warehousing; School, Vocational or Professional); approved February 3, 2003; northwest side of Main Street across from Cornell Drive; 2.26 acres; Planning Board and staff recommended denial.
2. W-2450; RS-9 and LB to LB; approved March 3, 2001; northwest side of Main Street across from Cornell Boulevard; 1.2 acres; Planning Board and staff recommended approval.
3. W-2041; RS-9 to LB; approved April 1, 1996; west side of Main Street near intersection with Konnoak Drive; 0.54 acre; Planning Board and staff recommended approval.
4. W-1937; RS-9 to HB-S (Convenience Store; Food or Drug Store; Furniture and Home Furnishing Store; General Merchandise Store; Hardware Store; Outdoor Display Retail; Retail; Retail Store, Specialty or Miscellaneous; Funeral Home; Medical and Surgical; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Warehousing; and Child Day Care Center - TWO PHASE); approved January 17, 1995; west side of Main Street south of Clemmons Road; 1.18 acres; remanded by Board of Aldermen for Special Use Zoning; Planning Board recommended approval and staff recommended denial.
5. W-1656; R-4 and B-3 to B-3-S ((Eating Establishments; Laundries or Dry Cleaning Services; Medical, Dental, or Related Services; Offices; Services; Signs: Ground on premise and wall; and Stores or Shops) TWO PHASE); approved May 5, 1990; west side of Konnoak Drive south of Skyview Drive; 13.03 acres; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Because this is a general use petition, the impact to the property's existing physical features cannot be determined at this time.

Topography: The subject property experiences an elevation change of approximately 48 feet, falling from about 890 feet in the northeastern corner of the site down to about 842 feet in the southeastern section of the site.

Streams: An unnamed branch that crosses from north to south and eventually feeds into South Fork Muddy Creek is located on a parcel directly adjacent to subject property. This branch lies about 70 feet from the subject property's western border.

Vegetation/habitat: The western section of the subject property is completely covered with vegetation. Additionally, the northern and southern borders of the subject property are lined with significant vegetation.

Environmental Resources Beyond The Site: Because this is a general use petition, the impact to environmental resources beyond the site cannot be determined at this time.

Water Supply Watershed: The subject property is not located in a water supply watershed.

Compliance with Federal/State requirements for wetland/stream protection: The petitioner is responsible for complying with all Federal and State wetland and stream protection regulations.

TRANSPORTATION

Direct Access to Site: Konnoak Drive; Main Street.

Street Classification: Konnoak Drive – Collector Street; Main Street – Minor Thoroughfare

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Main Street between Konnoak Drive and Clemmons Road = 5,500/16,100

Planned Road Improvements: None.

Sight Distance: Good.

Interior Streets: Because this is a general use petition, the street type cannot be determined.

Traffic Impact Study recommended: No.

Connectivity of street network: Because this is a general use petition, the connectivity of the eventual street system cannot be determined.

Sidewalks: None.

Transit: None.

Bicycle Route: None.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3)

Relevant Comprehensive Plan Recommendation(s): *Legacy* promotes affordable housing, a mix of housing types in neighborhoods and increased densities of development where infrastructure and public services are in place.

HISTORIC RESOURCES REVIEW

Known Historic Resources: No.

Comments: While nothing structural remains on the site, tradition maintains this was the location of the former Skyview Drive-In Theatre (later the Thunderbird Drive-In). North Carolina once featured more than 200 outdoor cinemas. Since the peak years in the late 1950s, the number of functioning drive-ins has declined over 96% in the state. Today less than 10 remain in operation.

ANALYSIS

The current request is to rezone 13.33 acres of land in the City of Winston-Salem from LB-S (Multiple Commercial uses) to RM-12. The property is located on the West side of Konnoak Drive south of Skyview Drive. As a general use request, no site plan accompanies the zoning petition.

An urban community/neighborhood activity center has been identified at the intersection of Clemmons Road and Konnoak Drive, north of the current zoning site. The subject property, on its eastern fringe, borders an area with commercial zoning as well. As the site is fairly large, compared to existing lot patterns of the area, it would be ideal to suggest that a transition of building massing and/or housing types should occur within the subject property from the adjacent single family residential to the west toward the commercial fringe. This would be even more advantageous if there were any viable vehicular connections to adjacent uses.

Originally, Planning staff desired to encourage a plan which encompassed the full tax lot of which the subject property is a portion. Potentially this could allow a new public street to connect to the street stub of Michigan Street to the west of subject property. This street system would have provided some relief for Konnoak Drive and its intersection with Clemmons Road. This could also facilitate improved pedestrian circulation as well. The commercial uses on Main Street, while currently comprised of automobile oriented businesses, could potentially develop into an assortment of pedestrian oriented businesses, which could be more conveniently accessed by foot. Unfortunately, however, topographic and environmental constraints substantially limit any vehicular connection to the west.

The potential density at this location of twelve multifamily residential units per acre, when compared to the impacts of the currently approved suburban type shopping center, seems to be appropriate. *Legacy* generally encourages higher density residential development at appropriate infill locations. The current scenario may be considered as such. *Legacy* also states that infill development should be compatible with its surrounding environment. Due to the established single-family character and composition of the surrounding environment, planning staff has some concern that such compatibility may be difficult to insure with a general use request. However, based on the prospect that the previously approved strip shopping center could be built on this site and introduce an even greater level of incompatibility, those apprehensions would appear relatively less important.

Staff would favor a comprehensively planned multifamily development utilizing a mixture of housing types that contribute more to the long-term vitality of the area as opposed to simply erecting a possible homogenous type of development. However, staff also recognizes that the current request, if approved, could alleviate some fairly significant physical impacts to the surrounding area as it relates to the currently approved LB-S site plan. Planning staff would also prefer to see a public street system, which could potentially tie to the undeveloped property to the north. In lieu of vehicular connections, especially to the west, pedestrian connections seem viable. Staff notes on the previously approved LB-S plan, a pedestrian connection was illustrated connecting to the right-of-way of Michigan Street. An approval of this zoning request would eliminate a major physical impact to the character of the area and would also help contain commercial development nearest the proposed activity center. While staff would prefer Special Use District zoning, staff acknowledges that general use RM-12 may be preferable to the current LB-S. Hopefully many of these compatibility measures can be achieved through Planning Board Review of any subsequent site plan for the multifamily development if the RM-12 is approved.

FINDINGS

1. The current site is zoned LB-S for a Shopping Center.
2. The density of the proposed RM-12 is not an increase in intensity from the current zoning.
3. The full tax lot for the subject property is bounded by small lot single family residential on the north, west and south and commercial zoning to the east and southeast.
4. *Legacy* generally encourages higher density at residential development appropriate infill locations.
5. A special use plan with a mixture of housing types may more effectively provide a successful transition from the adjacent single-family neighborhood toward the commercial zoning.
6. A general use multifamily request at this location, however, would have a lesser impact than the previously approved shopping center.

STAFF RECOMMENDATION

Zoning: **APPROVAL.**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning map amendment.

SECOND: Paul Mullican

VOTE:

FOR: Bost, Clark, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Norwood

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning