



DOCKET #: W2587

PROPOSED ZONING:
RS9

EXISTING ZONING:
PB-S

PETITIONER:
Vladimir Ramirez and
Stacy Ramirez

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 2

ACRE(S): 0.43

MAP(S): 636846



November 20, 2002

Vladimir Ramirez and Stacy Ramirez
2720 Willard Road
Winston-Salem, NC 27107

RE: ZONING MAP AMENDMENT W-2587

Dear Mr. Ramirez and Ms. Ramirez:

The attached report of the Planning Board to the Board of Aldermen is sent to you at the request of the Aldermen. You will be notified by the City Secretary's Office of the date on which the Aldermen 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: November 20, 2002
TO: The Honorable Mayor and Board of Aldermen
FROM: A. Paul Norby, AICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Vladimir Ramirez and Stacy Ramirez

SUMMARY OF INFORMATION:

Zoning map amendment of Vladimir Ramirez and Stacy Ramirez from PB-S to RS-9: property is located on the south side of Waughtown Street west of Peachtree Street. (Zoning Docket W-2587).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Vladimir Ramirez and Stacy Ramirez, Docket W-2587

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 Board of Aldermen 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 PB-S (Food or Drug Store) to RS-9 the zoning classification of the following described property:

Tax Block 0747, Tax Lot 121

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2587

STAFF: Gary Roberts

Petitioner(s): Vladimir Ramirez and Stacy Ramirez

Ownership: Same

REQUEST

From: PB-S Pedestrian Business District (Food or Drug Store)

To: RS-9 Residential Single Family District; minimum lot size 9,000 sf

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: 0.43 acre

LOCATION

Street: South side of Waughtown Street west of Peachtree Street.

Jurisdiction: City of Winston-Salem.

Ward: Southeast.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: One single family residential structure.

Adjacent Uses:

North - Single family residential zoned RS-9.

East - Undeveloped parcel zoned PB-S.

South - Single family residential zoned RS-9.

West - Single family residential zoned RS-9.

GENERAL AREA

Character/Maintenance: Well to moderately well maintained single family residences with some neighborhood scale commercial uses to the east in an established, urban neighborhood.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: No impact determined with general use request.

Topography: Gentle slope downward to the south.

Vegetation/habitat: Typical single family residential yard.

Water Supply Watershed: Site is not within the boundaries of a water supply watershed.

TRANSPORTATION

Direct Access to Site: Waughtown Street.

Street Classification: Waughtown Street - major thoroughfare;

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

Waughtown Street between Martin Luther King Jr. Dr and East Clemmonsville Road = 9,800/12,700

Sprague Street between Thomasville Road and East Clemmonsville Road = 5,700/12,700

Sidewalks: Both sides of Waughtown Street.

Transit: Routes 26 and 29 along Waughtown Street.

Bike: Route 9, Salem Lake Connector, along Sprague Street; Route 12, Reynolds Park Road Area Loop, along Peachtree Street.

HISTORY

Relevant Zoning Cases:

1. W-2502; LB and RS-9 to LB; approved October 10, 2001; northwest corner of Waughtown Street and Pleasant Street, ±2,200 feet east of current site; 0.82 acre; Planning Board and staff recommended approval.
2. W-2157; LB and RS-9 to PB-S (Food or Drug Store); approved June 2, 1997; southwest corner of Waughtown Street and Peachtree Street, included current site; 1.58 acres; Planning Board recommended denial, staff recommended approval.
3. W-2011; LB and RS-9 to LB; approved December 4, 1995; north side of Waughtown Street east of Peachtree Street, 600 feet northeast of current site; 0.67 acre; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Urban Neighborhoods (GMA 2).

Relevant Comprehensive Plan Recommendation(s): Historic preservation, rehabilitation and reuse of existing structures are encouraged. Protect existing neighborhoods through the creation of opportunities and incentives for their rehabilitation, redevelopment and revitalization.

Area Plan/Development Guide: *Southeast Winston-Salem Area Plan* (2002).

Relevant Development Guide Recommendation(s): The *Southeast Winston-Salem Area Plan* recommends protecting residential areas and preserving the existing historic/architectural aspects of the community through the retention of historic buildings from the late nineteenth and early twentieth century.

COMMUNITY DEVELOPMENT

Certified Area/Name: Forest Park.

Type of Certification: Rehabilitation, Conservation and Reconditioning Area.

Redevelopment Recommendation(s): Not applicable.

HISTORIC RESOURCES REVIEW:

National Register of Historic Places: Property located within a National Register Study List District within the proposed Waughtown National Register Historic District.

Comments: This property is a c.1920 Bungalow which contributes to the character of the Waughtown Historic District. It is a one-and-a-half story; side gabled structure with vinyl siding, an engaged porch, square posts, and knee braces. The property was inhabited by J.C. Smith from c.1920-1950.

ANALYSIS

The request is to rezone a 0.43 acre lot located ± 250 feet west of Peachtree Street on the south side of Waughtown Street from PB-S to RS-9. Currently located on the property is a single family residential building, (c.1920 Bungalow), which is within the proposed Waughtown National Register Historic District. The general character of the surrounding area is typical of a traditional urban neighborhood. Waughtown Street is lined with a seasoned variety of housing types including single family residences and an occasional duplex. The structures are sited fairly close to the street and sidewalks are the norm. The properties immediately eastward are also zoned PB-S. Located further east on Waughtown Street are several small to medium sized retail establishments and a church which are zoned LB.

In 1997, the subject property as a portion of a larger site was rezoned to PB-S. The approved site plan is for a 10,900 square foot Food or Drug Store. To date, no such construction has taken place and the associated parcels remain in multiple ownership. Staff was initially concerned that if approved, the subject request would essentially leave the remaining PB-S properties with an invalidated site plan. While this is in fact the case, and the overall neighborhood could benefit from a well designed corner store, and the passage of five years has given the original petitioner ample time complete the project. It is unreasonable to expect the subject property owners to wait indefinitely for the approved site plan to materialize. In addition, the remaining 1.15 acres of PB-S property is large enough to be separately redesigned for an alternative commercial endeavor.

This request would enable the petitioners to have a zoning district and tax value consistent with the single family residential use of their property. Staff recommends approval of the request.

FINDINGS

1. *Legacy* recommends protection of existing neighborhoods through the creation of opportunities and incentives for their rehabilitation, redevelopment and revitalization.
2. The site is located within the *Southeast Winston-Salem Area Plan* which recommends protecting residential areas and preserving the existing historic/architectural aspects of the community through the retention of historic buildings.
3. The request is to "downzone" a 0.43 acre property from PB-S back to its original RS-9 designation.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Philip Doyle moved approval of the zoning map amendment.

SECOND: Jerry Clark

VOTE:

FOR: Avant, Bost, Clark, Doyle, Folan, Glenn, King, Powell

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning