

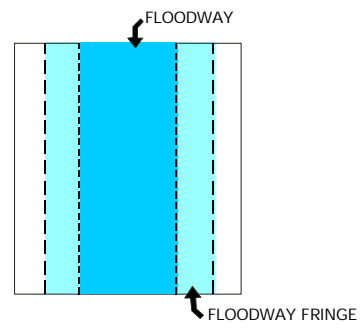
(Continued from the 12-09-99 CCPB Meeting)

DOCKET #: W2322

PROPOSED ZONING:
RSQ

EXISTING ZONING:
RS7

PETITIONER:
Cynthia S. Bouldin



SCALE: 1" represents 200'

STAFF: L. Weston

GMA: 3

ACRE(S): 0.28

MAP(S): 618850

DRAFT ZONING STAFF REPORT

DOCKET # W-2322
STAFF Larry F. Weston

Petitioner(s): Cynthia S. Bouldin
Ownership: Same

CONTINUANCE HISTORY

This petition was continued twice initially to permit submission of a special use district rezoning request and development of a suitable site plan.

From June 10, 1999 to August 8, 1999

From August 8, 1999 to October 14, 1999

Staff then requested a continuance until November 11 and then December 9, 1999, to consider a potential text amendment that would materially affect this petition. The text amendment (UDO-56) would increase the allowable area for attached accessory dwellings and would preclude the necessity of the current rezoning request. UDO-56 was adopted by the Board of Aldermen December 6, 1999.

A formal request to withdraw the current rezoning request was not made prior to the Planning Board's December 9, 1999, meeting. No action was taken at the meeting. The petitioner is requesting that the petition be withdrawn since the zoning text amendment was approved which has made this rezoning unnecessary.

REQUEST

From: RS-7 Residential Single Family District; minimum lot size 7,000 sf
To: RSQ Residential Single Family Quadraplex District

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: 0.28 acre

LOCATION

Street: Southwest corner of Lyndhurst Avenue and Magnolia Street.
Jurisdiction: City of Winston-Salem.
Ward: Southwest.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is developed with a single family structure that currently houses two residential units.

Adjacent Uses:

- North - Single family structures across Lyndhurst Avenue (unopened) zoned RS-7 and RS-9.
- South - Single family residence zoned RS-7.
- East - Single family structure, containing two residential units, zoned RS-7.
- West - Vacant property across Bellview Street (unopened) in floodplain area zoned RS-7.

GENERAL AREA

The surrounding area is developed with well-maintained single family homes and a number of residential structures that appear to contain two housing units. The site is located in Ardmore, a stable urban neighborhood with a mixture of uses, including commercial activity, on its fringes.

TRANSPORTATION

Direct Access to Site: Magnolia Street. Hawthorne Road runs one block south of the current site.

Street Classification: Magnolia Street is a local street; Hawthorne Road is a minor thoroughfare.

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

Magnolia Street - not available; Hawthorne Road - 15,900/15,000.

Traffic Generation: Since this is general use zoning, there is more variance in the uses allowed, and therefore the traffic generation possible. Therefore, no trip generation data is provided.

HISTORY

1. W-2280; RS-9 to RS-7; approved January 4, 1999; west side of Irving Street between Sherwood Road and Elgin Road; 0.30 acre; Planning Board and staff recommended approval.
2. W-1979; RS-9 to RSQ; withdrawn September 5, 1995; south side of Academy Street between Corona Street and Anson Street; 0.49 acre; Planning Board and staff recommended approval.
3. W-1666; R-4, R-1, and B-3 to B-3 (became LB under the UDO); approved July 2, 1990; south side of Hawthorne Road, at intersection of Hawthorne Road and Knollwood Road; 3.34 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 3: Urban.

Relevant Comprehensive Plan Recommendation(s): Encourage infilling and utilization of existing undeveloped subdivision lots in urban areas.

Area Plan/Development Guide: *Ardmore Area Plan*.

Relevant Development Guide Recommendation(s): Low and moderate density development on infill sites should not threaten the stability of the area; controlled conversion of existing single family units to multi-family units may be encouraged, however. Special use district zoning is recommended to ensure that minimal change is made to the structure itself.

HISTORIC SIGNIFICANCE

This property is located within the Ardmore National Register-eligible district.

ANALYSIS

The subject property lies in a neighborhood in Ardmore which is zoned RS-7. Ardmore is an older center city neighborhood, with an urban mixture of single family homes, commercial activity on its borders, and easy access to shopping, jobs, and cultural activities. Some of the single family structures in the area have previously added an apartment or accessory unit and may now have legally nonconforming status.

The current site is developed with a single family structure that contains a second residential unit. This configuration does not make it incompatible within this neighborhood context, and would be in character with the surrounding area. Rezoning the lot from RS-7 to RSQ as a general use petition, however, would allow up to four (4) units to be developed on the site. An effective density of over fourteen units per acre at this location would be out of character, and could be disruptive to the neighborhood.

A general use petition does not allow for discussion of either existing or planned uses for the property, since all potential uses must be considered. Also, without a site plan and the development conditions which may accompany it, there would be no way to restrict subsequent development to no more than two (2) units.

Rezoning to allow two dwelling units in the existing structure would be consistent with *Vision 2005*, which encourages infilling and utilization of existing undeveloped subdivision lots in urban areas. Such a request would also be consistent with the *Ardmore Area Plan*, which recommends low and moderate density development on infill sites, provided the infill uses do not threaten the stability of the area. The potential for development at a higher density on this lot through approval of general use RSQ zoning cannot be overlooked, however. In addition, the site lies within a National Register-eligible district (Ardmore), and as such could be subject to additional scrutiny with respect to building and site design in future years.

Staff could support a revised rezoning request that would limit use of this site as a two-family dwelling in this structure, and would consider that to be consistent with *Vision 2005* and the *Ardmore Area Plan*. Such use of the site would be in character with the neighborhood. Without limitations of that type that are available through special use district rezoning, staff is unable to support the current petition.

FINDINGS

1. The petition is a general use rezoning request that would allow up to four units on this 0.28 acre site, or a density of over 14 units/acre.
2. The subject property lies in a neighborhood in Ardmore which is zoned RS-7 and RS-9.
3. The proposed rezoning is consistent with *Vision 2005*, in that compatible infill development and reuse of existing structures are encouraged. However, the rezoning would allow a density that is not in character with the surrounding neighborhood.
4. The site is located within the Ardmore National Register-eligible district.
5. Limited RSQ zoning would be consistent with the *Ardmore Area Plan*.
6. A general use RSQ rezoning could not restrict development of the site to parameters that would preserve the present character and density of the neighborhood.

STAFF RECOMMENDATION

Initial Recommendation for Zoning: **DENIAL**.

Current Recommendation: **WITHDRAWAL**.

[*For information purposes only*: The site lies within the municipal services area of Winston-Salem and the Urban Neighborhoods area of Forsyth County. This area already has public infrastructure in place, and is suitable for development. *Legacy* recognizes that many of Winston-Salem's older neighborhoods are near job opportunities and cultural attractions of the Center City. Quality infill development, greater residential densities where appropriate, historic preservation, and reuse of existing structures are encouraged in these locations.]

PUBLIC HEARING - August 12, 1999

FOR: None

AGAINST: None

WORK SESSION

MOTION: Steve Johnson moved continuance of the rezoning petition to October 14, 1999.

SECOND: Kerry Avant

VOTE:

FOR: Unanimous

AGAINST: None

EXCUSED: None

PUBLIC HEARING - October 14, 1999

FOR: None

AGAINST: None

WORK SESSION

MOTION: Norman Williams moved continuance of the rezoning petition to December 9, 1999.

SECOND: John Bost

VOTE:

FOR: Bost, Johnson, Powell, Schroeder, Stewart, Williams

AGAINST: None

EXCUSED: None

(This zoning map amendment was held until January pending action on the relevant zoning text amendment.)

PUBLIC HEARING - January 13, 2000

FOR: None

AGAINST: None

WORK SESSION

MOTION: John Bost moved withdrawal of the zoning map amendment.

SECOND: James Rousseau

VOTE:

FOR: Bost, Johnson, Powell, Rousseau, Stewart

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning