



(Continued from the 10-14-99 CCPB Meeting)

DOCKET #: W2344

PROPOSED ZONING:
RSQ

EXISTING ZONING:
RS7

PETITIONER:
Daisy B. Baity

SCALE: 1" represents 200'

STAFF: D. Reed

GMA: 2

ACRE(S): 0.12

MAP(S): 630850

DRAFT ZONING STAFF REPORT

DOCKET # W-2344
STAFF David Reed

Petitioner(s): Daisy B. Baity
Ownership: Same

CONTINUANCE HISTORY: The petition was continued from the October 14, 1999, Planning Board public hearing to December 9, 1999, pending action on a relevant text amendment (UDO-57). The text amendment deals with increasing the allowable area for attached accessory units. Its adoption would address the petitioner's objectives and remove the need for the current rezoning. The text amendment has been adopted and there is now no need to process this zoning map amendment. The petition is recommended for withdrawal.

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: 0.12 acre.

LOCATION

Street: Northeast side of Green Street between Academy Street and West Street.
Jurisdiction: City of Winston-Salem.
Ward: South.

PROPERTY SITE/IMMEDIATE AND GENERAL AREA

Existing Structures on Site and General Character of Surrounding Area: Site contains one single family home; surrounding area consists of well maintained single family, duplex and multifamily homes and two churches within one block of the site.

TRANSPORTATION

Direct Access to Site: Green Street.
Street Classification: Green Street is a local street which intersects with Academy Street, a minor thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Academy Street - 4,180/16,000.

HISTORY

1. W-2232; RS-7 to RSQ; approved July 6, 1998; northeast side of Green Street adjacent to current site; 0.12 acre; Planning Board and staff recommended approval.
2. W-2192; GI to GB; approved December 15, 1997; southeast and southwest corners of Wachovia Street and Marshall Street; 3.73 acres; Planning Board and staff recommended approval.
3. W-2104; RS-9 to NO-S (Offices, Miscellaneous; and Professional Office); denied November 4, 1996; northeast corner of Washington Street and Broad Street; 0.41 acre; Planning Board and staff recommended denial.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 2: Central.

Relevant Comprehensive Plan Recommendation(s): The plan recommends residential infill at higher densities and the rehabilitation of existing housing.

Area Plan/Development Guide: *West Salem Long Range Plan* which was adopted by the Planning Board on September 23, 1980 but has not been adopted by the Board of Aldermen.

Relevant Development Guide Recommendation(s): Maintain and preserve the single family character of the area.

ANALYSIS

The petition is to rezone 0.12 acre from RS-7 to RSQ. RSQ allows single family homes, duplexes, triplexes, and quadraplexes, provided site area and dimensional requirements can be met. There is an existing residential structure on the site which, if rezoned to RSQ, would still need a variance from the Zoning Board of Adjustment to be used as a duplex.

Vision 2005 recommends residential infill at higher densities and the rehabilitation of existing housing. The *West Salem Long Range Plan* which was adopted by the Planning Board on September 23, 1980 (but was not adopted by the Board of Aldermen) recommends maintaining and preserving the single family character of the area. A duplex can be consistent with single family homes, depending on how building design, placement on the lot, lot dimensions, and off-street parking is handled.

Staff recognizes the need for sensitivity to surrounding development patterns and zoning when considering the introduction of more intense development. When combined with sensitive design, RSQ is a legitimate tool for the efficient utilization of existing urban infrastructure and services. With a mixture of single family, multifamily, and institutional uses along Green Street in the immediate area, the requested district may or may not be consistent with the plan, depending on design and layout.

The petition was submitted because the homeowner has rented out a dwelling unit within the house. The arrangement appears to meet all of the requirements for an accessory dwelling permit with the exception of the maximum size of the unit. Staff believes the size requirement in the UDO may inadvertently prohibit many small homes from eligibility for the permit, and we recommend a continuance of the petition until a text amendment can be presented which may resolve the issue without the need for rezoning.

FINDINGS

1. The petition is to rezone 0.12 acre from RS-7 to RSQ. There is an existing residential structure on the site which, if rezoned to RSQ, could be used as a duplex if waivers are secured from the Zoning Board of Adjustment.
2. *Vision 2005* recommends residential infill at higher densities and the rehabilitation of existing housing. The petition is consistent with the plan recommendation.
3. The *West Salem Long Range Plan* which was adopted by the Planning Board on September 23, 1980, but has not been adopted by the Board of Aldermen, recommends maintaining and preserving the single family character of the area. The requested district may or may not be consistent with the plan recommendation, depending on several design and layout factors.
4. Staff believes that RSQ might in some cases be a legitimate tool for the efficient utilization of existing urban infrastructure and services; however, we recommend a continuance of the petition until a text amendment can be presented which may resolve the issue without the need for rezoning. Avoiding further rezoning might present the best opportunity to preserve the single family character of a neighborhood that is experiencing some renewed interest.

STAFF RECOMMENDATION

Zoning: **WITHDRAWAL**.

[*For information purposes only:* The draft *Legacy* plan promotes new infill development, redevelopment and reuse of land and buildings which is sensitive to surrounding existing land uses within the Municipal Services Area to reduce pressure for development and the extension of costly infrastructure and services to rural areas. The proposal appears to be consistent with *Legacy* policy recommendations.]

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: Avant, 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