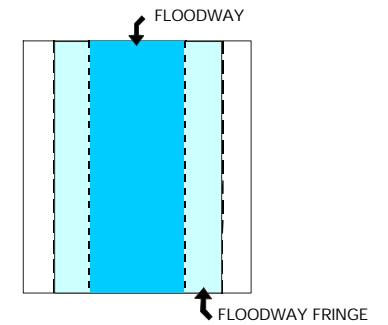


DOCKET #: W2399
 Continued from May 11, 2000
 CCPB meeting

PROPOSED ZONING:
 RS-Q-S (Residential
 Building, Duplex)

EXISTING ZONING:
 RS9

PETITIONER:
 John Sangimino
 and Peter Sangimino



SCALE: 1" represents 200'

STAFF: G. Simmons

GMA: 3

ACRE(S): 0.83

MAP(S): 618838

July 19, 2000

John Sangimino and Peter Sangimino
165 Tifton Street
Bermuda Run, NC 27006

RE: ZONING MAP AMENDMENT W-2399

Dear Mr. Sangimino and Mr. Sangimino:

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
Lawrence Stewart, 2651 Winslow Lane, Winston-Salem, NC 27103
Robert Giffen, 2747 Winslow Lane, Winston-Salem, NC 27103
Barnes Daniels, 2728 Winslow Lane, Winston-Salem, NC 27103
Dick Riddle, 2725 London Lane, Winston-Salem, NC 27103
Katie Robinson, 2661 Winslow Lane, Winston-Salem, NC 27103
Walter Shelton, 2650 Winslow Lane, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: July 19, 2000
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 John Sangimino and Peter Sangimino

SUMMARY OF INFORMATION:

Zoning map amendment of John Sangimino and Peter Sangimino from RS-9 to RSQ-S (Residential Building, Duplex): property is located on the northeast side of Winslow Lane at its southern terminus (Zoning Docket W-2399).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: MEETS ALL CODE REQUIREMENTS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of John Sangimino and Peter Sangimino, Docket W-2399

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 RS-9 to RSQ-S (Residential Building, Duplex) the zoning classification of the following described property:

BEGINNING at an iron stake in the northeasterly right-of-way line of Winslow Lane, said iron stake being located in the southernmost corner of Lot 105 as shown on the Map of British Woods, Section 2 as recorded in Plat Book 23 at Page 180 in the Office of the Register of Deeds of Forsyth County, North Carolina; running thence with the southeast line of said Lot 105 north 59° 26' east 216.08 feet to an iron stake in the southwest line of Lot 165 as shown on the Map of British Woods, Section 1-E; running thence with the southwesterly lines of Lots 165 and 166 south 36° 54' east 161.43 feet to an iron stake, the southernmost corner of Lot 166 as shown on said Section 1-E; running thence south 52° 56' west 84.43 feet to a point; running thence south 59° 26' west 150 feet to an iron stake in the northeasterly right-of-way line of said Winslow Lane; running thence with said right-of-way line north 30° 34' west 170.00 feet to the point and place of beginning. Containing 0.83 acre and being Tax Lots 504 and 505, Tax Block 3926.

Section 2. This Ordinance is adopted after approval of the site plan entitled John and Peter Sangimino and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to John Sangimino and Peter Sangimino.

Section 3. The Board of Aldermen hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as John and Peter Sangimino. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the Board of Aldermen

of the City of Winston-Salem

The Board of Aldermen of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of John Sangimino and Peter Sangimino, (Zoning Docket W-2399). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for RSQ-S (Residential Building, Duplex), approved by the Winston-Salem Board of Aldermen the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the RSQ-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional condition be met:

- **OTHER REQUIREMENTS**
 - a. As a requirement of the RSQ Zoning District, both buildings must have roof pitches with a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run.

ZONING STAFF REPORT

DOCKET # W-2399

STAFF: Glenn Simmons

Petitioner(s): John Sangimino and Peter Sangimino

Ownership: Same

CONTINUANCE HISTORY

This zoning petition was continued from the May 11, 2000, Planning Board meeting to July 13, 2000, to allow the petitioner to resubmit his RSQ request to RSQ-S. The petitioner hopes to address various neighborhood concerns by limiting his development to two duplex structures (four total units) with one duplex structure on each of two lots. The site plan, submitted as part of the Special Use District petition, also shows more precisely how the project will be developed in accordance with existing topography and other site considerations.

REQUEST

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

To: RSQ-S Residential Single Family Quadraplex District; minimum lot size varies
(Residential Building, Duplex)

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

Acreage: 0.83 acre

LOCATION

Street: Northeast side of Winslow Lane at its southern terminus.

Jurisdiction: City of Winston-Salem.

Ward: South.

SITE PLAN

Proposed Use: Residential Building, Duplex.

Square Footage: 3,042 square total square footage.

Building Height: Two story.

Density: 4.83 units per acre.

Parking: Required: Eight spaces; Proposed: eight spaces; Layout: four spaces per structure.

Bufferyard Requirements: Minimum five foot wide, type I bufferyard required between parking and property line.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: None. Site is wooded.

Adjacent Uses:

- Northeast - Wooded land located in the floodplain and zoned RS-9.
- East - Wooded land located in the floodplain and zoned RS-9.
- Southwest - British Woods Condominiums zoned RS-9.
- West - Single family homes zoned RS-9.
- Northwest - Single family homes zoned RS-9.

GENERAL AREA

Character/Maintenance: Well maintained area.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Minimal disturbance based on the orientation and location of the proposed buildings and parking.

Topography: Property slopes downward from the front to the rear.

Streams: Bottom Branch Creek is near the site to the rear.

Vegetation/habitat: Generally wooded.

Constraints: Floodplain located in rear of property.

Floodplains: Yes. Approximately one-third of the site is within the 100-year floodplain of Bottom Branch Creek

TRANSPORTATION

Direct and Area-wide Access to Site: Winslow Lane, New Castle Drive, London Lane, Ebert Road.

Street Classification: Winslow Lane - neighborhood street; New Castle Drive - neighborhood street; London Lane - minor thoroughfare; Ebert Road - major thoroughfare.

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

London Lane - Ebert Road to Burke Mill Road - 5,700/nc

Ebert Road - London Lane to Ardmore Road - 11,000/16,000

Trip Generation/Existing Zoning: RS-9 .83 ac/9,000 = 4 lots x 9.55 = 38 avg. trips/day

Trip Generation/Proposed Zoning: RSQ-S = 2 duplex units or 4 units x 6.63 trip rate = 26 avg. trips/day

Planned Road Improvements: None.

Sight Distance: Adequate.

Traffic Impact Study recommended: No.

A recent City of Winston-Salem traffic study of this area indicated a large volume of cut through traffic along London Lane. Some traffic calming measures have been undertaken. A signal has been installed at the intersection of London Lane and Ebert Road. Pavement markings to reduce travel lane width on London Lane. Other alternatives are still being studied.

Connectivity of street network: Staff does not recommend connecting to nearby private streets.

HISTORY

There are no relevant zoning cases.

NOTE: Much of the area proximate to the current zoning request was previously zoned R-4 which generally allowed single family homes on minimum 9,100 square foot lots. The R-4 district also allowed for a period attached residential structures with a Special Use Permit from the Zoning Board of Adjustment provided that overall development densities did not exceed 4.78 units per acre. Based on this provision, several multifamily developments were previously approved either adjacent to, or near the subject site.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): Separation and buffering of commercial, office, and industrial uses from residential areas; preservation of stable neighborhoods.

Area Plan/Development Guide: None.

ANALYSIS

The current RSQ-S zoning proposal is a substitute request for a previously submitted RSQ zoning petition. The petition consists of 0.83 acre of land, presently zoned RS-9. The property is located at the southern terminus of Winslow Lane, a residential cul-de-sac, which is situated between existing single family homes located north of the property, and multifamily townhomes to the south. The rear third of the property lies within the hundred year floodplain of Bottom Branch Creek, a major tributary to Salem Creek. The site plan shows two duplex units (four units) totaling 3,042 square feet located with one duplex structure on each of two separate lots. The petitioner submitted the RSQ-S request in response to neighborhood concerns to provide more specific information about the scale, character and density of the proposed duplex development.

The physical character and zoning context of the subject property are somewhat unusual given that both single family and multifamily projects developed under the old R-4 zoning classification. Generally the R-4 zoning permitted single family homes on minimum 9,100 square foot lots. For a time, however, the R-4 district also allowed attached residential structures with a Special Use Permit from the Zoning Board of Adjustment provided that overall development densities did not exceed 4.78 units per acre. On this basis several multifamily developments are located either adjacent to, or near the subject site.

With adoption of the UDO in 1995 several new residential zoning categories were created. One of them, the RSQ classification, was created as a hybrid district which was intended to bridge multifamily and single family developments by permitting multifamily structures which are similar in scale with single family homes. The classification is particularly useful for infill situations in established neighborhoods where mixed single family and multifamily structures co-exist. In the current context, staff considers the proposed RSQ-S request to be generally consistent with the UDO purpose statement for the RSQ district.

Now that the petition has been resubmitted with a site plan under the provisions of special use district zoning, staff is further convinced of the suitability of the proposed zoning request. As presented the two duplex units are comparable in size to single family structures and sited in a manner which is responsive to sensitive terrain features. The site plan demonstrates that, if approved, the project will be compatible with its surroundings and would provide an appropriate transition between single family units to the north and larger scale multifamily units located to the south of the property. In staff's opinion, impacts related to traffic will be comparable to, or perhaps less than, traffic impacts of single family homes which may be developed on the property under the current RS-9 zoning. Primarily this is due to the differences between the driving habits of multifamily and single family households. Trip generation for multifamily is 6.63 trips per unit per day versus 9.55 trips per unit per day for conventional single family households. Staff believes it is important to make this point based on current concerns about traffic volumes on London Lane.

FINDINGS

1. The RSQ-S was substituted for the previous RSQ request in order to address various neighborhood concerns related to scale and character of development which could occur on the site.
2. The site is located between existing single family homes to the north and larger multifamily structures to the south.
3. The RSQ district was created under the UDO as a hybrid zoning classification which serves as a bridge between single family and multifamily developments.
4. The RSQ-S site plan shows two quadruplex units which are sited in a manner which is responsive to the environmental constraints of the property.
5. Traffic generation from the proposed two duplex buildings would be comparable to, if not less than traffic generated from four single family structures which might be built on the property under the current RS-9 zoning.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following condition:

- **OTHER REQUIREMENTS**
 - a. As a requirement of the RSQ Zoning District, both buildings must have roof pitches with a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run.

[*For information purposes only:* The draft *Legacy* plan identifies this site as being located within the municipal services area and in the suburban neighborhoods subarea. The *Legacy* plan calls for increased residential densities in this area, where appropriate, and a mix of housing types and prices.]

PUBLIC HEARING - May 11, 2000

Glenn Simmons presented the staff report.

FOR:

John Sangimino, 165 Tifton Street, Advance, NC 27006

When my younger son graduated from college, we were thrilled to learn he wanted to stay in Winston-Salem. He has a good job, has been saving carefully and would like to put up his own house with his own money. We were thrilled to find this piece of property that apparently no one wanted because it abuts the British Woods condos and is directly across from a parking lot, slopes pretty sharply, and the rear of it is a floodplain. You can see why not too many people would want to put a single family house here, but to us it is a gem in the rough because it would allow him to put up his own home at a reasonable cost.

We took great pains to come up with plans that would be compatible with the site. We realized that because of the special considerations, it would be great if it could include an apartment as part of the structure.

We went to the neighbors with plans in hand and explained exactly what we were going to do; that we thought that in spite of the zoning allowing "quadraplexes", that we thought that was far too dense for this property and that we thought that was not appropriate for this property. That we thought we had something that would be on the scale with a one family house from the street. It might even look better than a lot of houses in the neighborhood.

Since then, the letters went out from Planning indicating that quadraplexes were allowed in this zoning district. I've heard that shopping centers would be allowed and I heard on the way in here that someone said we were going to turn this into a construction office.

We are going to fit into the neighborhood as seamlessly as possible.

AGAINST:

Lawrence Stewart, 2651 Winslow Lane, Winston-Salem, NC 27103

Adjacent to this property.

This is only a one block street. There are only five houses here. We don't know what will happen when this property is sold in the future. It could be subdivided.

Our problem is with the word quadraplex. We feel there is surely the possibility of another way for him to do what he wants while giving us the protection and safety we need.

Submitted a petition of opposition.

Robert Giffen, 2747 Winslow Lane, Winston-Salem, NC 27103

I'd like to oppose this request.

I find it interesting that Mr. Sangimino insists that this structure will look like a single family home while insisting that no one will want to put such a structure there.

Someone could buy this property next month and be under no obligation to do as he has planned.

Barnes Daniels, 2728 Winslow Lane, Winston-Salem, NC 27103

I live up the street from the piece of property.

I moved into this neighborhood over 30 years ago.

Obviously I am opposed to further encroachment and request denial.

WORK SESSION

MOTION: Kem Schroeder moved continuance of the zoning map amendment to July 13, 2000, with the only additional fees being the difference between general and special use district zoning costs.

SECOND: Arnold King

VOTE:

FOR: Avant, Bost, Johnson, King, Powell, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

PUBLIC HEARING - July 13, 2000

Glenn Simmons presented the staff report.

FOR:

John Sangimino, 165 Tifton Street, Advance, NC 27006

My son wants to settle in Winston-Salem. We found this lot for sale.

This is the perfect infill lot. We've designed duplexes that look like any other single family house in the neighborhood.

There will be buffering.

The current petition binds the property owner, even if the site is sold, to the plan presented today. That gives the neighborhood assurance of what will be happening.

Houses along New Castle are on much smaller lots.

When we purchased this property, there were no covenants with this property. There still are none, in spite of attempts to lead us to believe otherwise.

This plan is exactly what we proposed a year and a half ago.

We have still not received a single call to ask us about the project or comment to us about it, but they line up to oppose it. If they really object to it, they would have tried to find out what was going on.

This neighborhood is very frustrated about the traffic.

This is the perfect plan for this site. Please look favorably upon this.

AGAINST:

Dick Riddle, 2725 London Lane, Winston-Salem, NC 27103

Read letter from Dan Hunt, a copy of which is on file.

Submitted petition of opposition from 182 neighbors.

Lawrence Stewart, 2651 Winslow Lane, Winston-Salem, NC 27103

I request this petition be denied and not changed. This would more than double the parking on this street.

This is the only place children have to play.

Katie Robinson, 2661 Winslow Lane, Winston-Salem, NC 27103

I am not angry.

I am not trying to cause problems.

We are not opposed to the people, as they seem to think we are. We only want to keep it as it has been. The street is extremely short and the area should remain single family zoning.

The condos are nearby, but have their own access.

Walter Shelton, 2650 Winslow Lane, Winston-Salem, NC 27103

My property is diagonally across from this site.

There are single family dwellings on all sides of this site, except one. I request it remain single-family zoning.

The gentleman who bought it knew it was RS-9 and single family zoning when he bought it.

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. There could be four single-family homes built on this land as it is currently zoned. Due to technical restrictions, that is unlikely, but it is possible.
2. This is exactly what we've been looking for regarding infill development.

MOTION: Terry Powell moved approval of the zoning map amendment.

SECOND: Kem Schroeder

VOTE:

FOR: Bost, King, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Terry Powell certified that the site plan meets all code requirements and recommended staff conditions.

SECOND: Kem Schroeder

VOTE:

FOR: Bost, King, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning