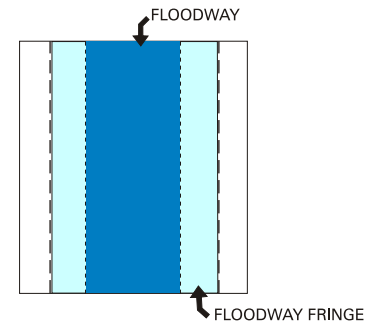


DOCKET #: W2421

PROPOSED ZONING:
RS7

EXISTING ZONING:
RS9

PETITIONER:
Anthony Krofchik
for property owned
by Selena Lineberry



SCALE: 1" represents 200'

STAFF: Reed

GMA: 3

ACRE(S): 0.73

MAP(S): 612878

September 20, 2000

Anthony Krofchik for property owned by
Selena Lineberry
2892 Friendship-Ledford Road
Winston-Salem, N.C. 27102

RE: ZONING MAP AMENDMENT W-2421

Dear Mr. Krofchik:

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
Harvey King, 5030 Pinewood Drive, Winston-Salem, NC 27106
Harold Hamilton, 5035 Pinewood Drive, Winston-Salem, NC 27106

ACTION REQUEST FORM

DATE: September 20, 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 Anthony Krofchik for property owned by Selena Lineberry

SUMMARY OF INFORMATION:

Zoning map amendment of Anthony Krofchik for Property owned by Selena Lineberry from RS-9 to RS-7; property is located on the west side of Pinewood Drive north of Bethabara Road (Zoning Docket W-2421)

PLANNING BOARD ACTION:

MOTION ON PETITION: DENIAL
FOR: BOST, JOHNSON, KING, POWELL, ROUSSEAU,
SCHROEDER, WILLIAMS
AGAINST: AVANT, SNELGROVE
SITE PLAN ACTION: NOT REQUIRED

CITY ORDINANCE - GENERAL USE

Zoning Petition of Anthony Krofchik for property owned by Selena Lineberry, Docket W-2421

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 RS-7 the zoning classification of the following described property:

BEGINNING at a point in the western R/W of Pinewood Drive located S 0°35'48" E 27.04' from an existing iron pipe, the northeastern corner of tax lot 56D and the southeastern corner of tax lot 56A in the western R/W of Pinewood Drive, running thence with the western R/W of Pinewood Drive the following seven calls: S4°31'58" E 57.93', S 4°56'54" E 22.91', S 9°21'42" E 35.53', S 9°21'42" E 44.41', S 7°42'30" E 16.15', S 7°42'30" E 49.18', and S 0°35'48" E 27.04' to a point, the northeastern corner of tax lot 56C, running thence with the northern line of tax lot 56C N 87°12'00" W 156.63' to a point, thence on two "new" lines to tax lot 56D N 2°25'23" E 230.90' to a point and S 87°34'37" E 118.43' to the point and place of beginning, containing 31,607 square feet and being a portion of tax lot 56D of Block 3512.

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2421
STAFF: David Reed

Petitioner(s): Anthony Krofchik
Ownership: Selena Lineberry

REQUEST

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf
To: RS-7 Residential Single Family District; minimum lot size 7,000 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: 0.73 acre

LOCATION

Street: West side of Pinewood Drive north of Bethabara Road.
Jurisdiction: City of Winston-Salem.
Ward: North.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: None; site is heavily wooded.

Adjacent Uses:

North - Single family uses zoned RS-12.

East - Single family uses zoned RS-12 and RS-9.

South - Single family uses zoned RS-9.

West - Vacant land zoned RS-12 and Bethabara Branch creek and floodplain.

GENERAL AREA

Character/Maintenance: Variety of lot sizes and maintenance levels of single family homes.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Minor.

Topography: Site slopes down to the west.

Streams: Bethabara Branch lies to the west of the site.

Vegetation/habitat: Site is heavily wooded.

Constraints: Minor.

Floodplains: Bethabara Branch floodplain runs in a north/south direction approximately 75' west of the site.

TRANSPORTATION

Direct Access to Site: Hutchins Street; Pinewood Drive; Bethabara Road.

Street Classification: Hutchins Street - local; Pinewood Drive - collector; Bethabara Road - minor thoroughfare.

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

Bethabara Road. between Bethabara Park and Shattalon = 2,700/10,000

Sight Distance: Good.

Transit: Route 10 (along Bethabara between Indiana and North Point Boulevard)

HISTORY

Relevant Zoning Cases:

1. W-2281; RS-12 to RS-7; approved January 4, 1999; south side of Hutchins Street across from Selena Street; 1.30 acres; Planning Board and staff recommended approval.
2. W-2161; RS-9 to MH-S (Manufactured Housing Development); approved July 7, 1997; Northeast side of Bethabara Road, southeast of Shattalon Drive; 27.57 acres; Planning Board and staff recommended approval.
3. W-2015; RS-9 and MH to MH-S (Manufactured Housing Development); approved December 4, 1995; northeast side of Bethabara Road, west of current property; 12.93 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): Preservation of stable neighborhood areas; provision of new residential development at scale with surrounding development; coordinate residential development with adequate level of services; encourage appropriate infill of existing undeveloped lots in urban areas.

Area Plan/Development Guide: The site is not located within a development guide study area.

ANALYSIS

The subject request is a general use petition to change the zoning on 0.73 acre of land from RS-9

to RS-7. The key differences would be a reduction in the minimum lot area and width requirements and a reduction in the building setback requirements. The site is the road-frontage portion of a 2.21 acre lot and is large enough to be subdivided into four 7,000 square foot lots. The remainder of the tax lot, which would remain RS-9, includes an area in the floodplain of Bethabara Branch.

Staff has considered a number of factors when reviewing recent petitions for RS-7 “infill” zoning. These factors include character/streetscape of the block and the opposite block face; the surrounding lotting pattern; the surrounding zoning; access to services; and proximity to transit. In some cases, infill at higher densities than the existing lotting pattern can be achieved under the existing zoning.

Although staff supported a previous RS-12 to RS-7 request on the south side of Hutchins Street (W-2281), we are in the process of refining criteria for appropriate infill development. The benefits of more dense development must also be weighed in light of a project’s compatibility with surrounding uses and development patterns.

Many of the homes in the neighborhood are developed on properties that are larger than the minimum required in the RS-9 district, so the proposed zone change and density allowed would be significantly more dense than the rest of the neighborhood. Because the proposed zoning would accommodate lots that are smaller than what is allowed in the existing RS-9 zoning and significantly smaller than the surrounding lotting pattern, staff is of the opinion that RS-7 is not appropriate for the site.

FINDINGS

1. The subject request is a general use petition to change the zoning on 0.73 acre of land from RS-9 to RS-7.
2. The key differences between RS-9 and RS-7 would be a reduction in the minimum lot area and width requirements and a reduction in the building setback requirements.
3. Staff has developed a list of factors which are considered when reviewing petitions for RS-7 zoning.
4. When considering infill development, compatibility with the surrounding neighborhood must be balanced with the benefit of more compact development in the municipal services area.
5. Many of the homes in the neighborhood are developed on properties that are larger than the minimum required in the RS-9 district, so the proposed zone change and density allowed would be significantly more dense than the rest of the neighborhood.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

[For information purposes only: The draft *Legacy* plan identifies the areas within which the project site is located as the Urban Neighborhood area of the Municipal Services Area. The Urban Neighborhood Area consists of the older neighborhoods and commercial areas in Winston-Salem. A more compact urban development pattern is a goal of the plan; quality infill development is a tool to meet that goal.]

PUBLIC HEARING

FOR:

Anthony Krofchik, 2892 Friendship-Ledford Road, Winston-Salem, NC 27127

I'm in the process of purchasing a couple of acres of land here and would like to rezone this portion of it to build affordable, stick-built housing.

This property is surrounded by apartments.

Some of the nearby properties either don't meet or barely meet minimum RS-9 standards.

There are services within one mile of the site, including a bus stop.

Submitted signatures supporting his request.

AGAINST:

Harvey King, 5030 Pinewood Drive, Winston-Salem, NC 27106

I live just north of this site.

No one I talked to saw any signs about the new building in this area, northwest of this site, so there wasn't any opposition.

Submitted petition of 24 signatures from people on Pinewood Drive opposing this request.

Our opposition is to the proximity of these houses to each other and the road.

Mr. King noted that Mr. Harold Hamilton was present to oppose the petition but had to leave to get back to work.

WORK SESSION

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

1. Side yard requirements under RS-7 are combined of 15' with neither one less than 5'. The proposed lots would be 58' wide.
2. Steve Johnson said that in this case, going to a 50' lot size would be a significant change in the character of the neighborhood. Even though the four units in RS-7 zoning around the corner are close together, the rest are not.

MOTION: Steve Johnson moved denial of the zoning map amendment.

SECOND: Kem Schroeder

VOTE:

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

AGAINST: Avant, Snelgrove

EXCUSED: None

A. Paul Norby, AICP
Director of Planning