April 22, 2015

Alfonso Gilberto Mendez Vargas and Ma Estela Magana Angel
3509 Chelsea Village Ln
Winston-Salem, NC 27103

Re: Zoning Petition W-3259

Dear Mr. Vargas and Ms. Angel:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning and Development Services

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102
# ACTION REQUEST FORM

<table>
<thead>
<tr>
<th>DATE:</th>
<th>April 22, 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM:</td>
<td>A. Paul Norby, FAICP, Director of Planning and Development Services</td>
</tr>
</tbody>
</table>

## COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning petition of Alfonso Gilberto Mendez Vargas and Ma Estela Magana Angel

## SUMMARY OF INFORMATION:

Zoning petition of Alfonso Gilberto Mendez Vargas and Ma Estela Magana Angel from LO-S and RS9 to RS9: property is located on the east side of Queensbury Road, north of Country Club Road (Zoning Docket W-3259).

## PLANNING BOARD ACTION:

<table>
<thead>
<tr>
<th>MOTION ON PETITION:</th>
<th>APPROVAL</th>
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<tbody>
<tr>
<td>FOR:</td>
<td>UNANIMOUS</td>
</tr>
<tr>
<td>AGAINST:</td>
<td>NONE</td>
</tr>
<tr>
<td>SITE PLAN ACTION:</td>
<td>NOT REQUIRED</td>
</tr>
</tbody>
</table>
CITY ORDINANCE - GENERAL USE

Zoning Petition of Alfonso Gilberto Mendez Vargas and Ma Estela Magana Angel, Docket W-3259

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 City Council 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 LO-S and RS9 to RS9 the zoning classification of the following described property:

PIN #6805-51-1001

Section 2. This ordinance shall become effective upon adoption.
# CITY-COUNTY PLANNING BOARD
## STAFF REPORT

## PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3259</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Alfonso Gilberto Mendez Vargas and Ma Estela Magana Angel</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #6805-51-1001</td>
</tr>
<tr>
<td>Address</td>
<td>105 Queensbury Road</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General use rezoning</td>
</tr>
</tbody>
</table>

**Proposal**
The petitioner is requesting to amend the Official Zoning Maps for the subject property from LO-S (Limited Office – special use zoning-Offices; and Government Offices, Neighborhood Organization, or Post Office) and RS9 (Residential, Single Family district; 9,000 sf minimum lot size) to RS9 (Residential, Single Family district; 9,000 sf minimum lot size).

**NOTE:** General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.

<table>
<thead>
<tr>
<th>Neighborhood Contact/Meeting</th>
<th>The application does not indicate if a neighborhood meeting has been held.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District Purpose Statement</td>
<td>The RS9 District is primarily intended to accommodate relatively high density single family detached dwellings in urban areas. This district is intended for application in GMAs 2 and 3 and may be suitable in Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available.</td>
</tr>
</tbody>
</table>

**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)**

<table>
<thead>
<tr>
<th>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes, a majority of the site is already zoned RS9 and the site is adjacent to RS9 zoned properties on two sides.</td>
</tr>
</tbody>
</table>

## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>East side of Queensbury Road, north of Country Club Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>West</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± .5 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site is currently undeveloped.</td>
</tr>
<tr>
<td>Surrounding Property Zoning and Use</td>
<td>Direction</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>East</td>
</tr>
<tr>
<td></td>
<td>South</td>
</tr>
<tr>
<td></td>
<td>West</td>
</tr>
</tbody>
</table>

(R2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes, the low density residential uses permitted within the proposed RS9 district are compatible with the uses permitted on the adjacent RS9 zoned properties.

Physical Characteristics

The undeveloped site has a moderate slope downward toward the northwest.

Proximity to Water and Sewer

Public water and sewer are available to the site.

Stormwater/Drainage

No known issues.

Watershed and Overlay Districts

The site is not located within a water supply watershed.

Analysis of General Site Information

The site has no apparent constraints such as steep slopes, watersheds, or floodplains and appears to be suitable for development within the proposed RS9 district.

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Queensbury Road</td>
<td>Local Street</td>
<td>82'</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Proposed Access Point(s)

Because this is a general use request with no site plan, the exact location of access points is unknown. The site is currently accessed from Queensbury Road.

Trip Generation - Existing/Proposed

Existing Zoning: LO-S and RS9

The site plan for the LO-S portion was for a potential parking lot which was to connect to the adjacent LO-S zoned site to the south. The remaining RS9 portion could accommodate one single family house which equates to 10 Trips per Day.

Proposed Zoning: RS9

\[ \frac{0.5 \times 43,560}{9,000} \times 2 \text{ dwelling units} \times 9.57 \text{ (SFR Trip Rate)} = 10 \text{ Trips per Day} \]

Sidewalks

Sidewalks are located along Country Club Road.

Transit

Route 12 runs along Country Club Road located 160' to the south.

Analysis of Site Access and Transportation Information

Staff does not anticipate any transportation related issues associated with this request.
### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**  
Growth Management Area 3 - Suburban Neighborhoods

**Relevant Legacy Recommendations**
- Residential areas should be protected from inappropriate residential, commercial, industrial and institutional encroachment.
- Increase quality infill development in the serviceable land area.

**Relevant Area Plan(s)**  
*West Suburban Area Plan (2012)*

**Area Plan Recommendations**
- The *West Suburban Area Plan (2012)* identified the subject property as being Office. The plan recommends that Office development on Country Club Road should be residentially-scaled and designed to complement the existing residential character of the surrounding area. Furthermore, low-density residential development was recommended for existing individual lots and small tracts of land in existing single-family neighborhoods similar to that of the subject property.

**Site Located Along Growth Corridor?**  
The site is not located along a growth corridor.

**Site Located within Activity Center?**  
The site is not located within an activity center.

**Addressing**
There are no addressing or street naming concerns.

**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)**

(R)(3) - Have changing conditions substantially affected the area in the petition?

No

(R)(4) - Is the requested action in conformance with Legacy?

Yes

**Analysis of Conformity to Plans and Planning Issues**
The original site plan (W-2965) utilized the LO-S portion of the site for additional parking. A staff change was later approved which removed the parking from this area. The remaining LO-S property is able to function as a stand-alone site without the existing LO-S property included with this request. The *West Suburban Area Plan* identified the subject property for office land use in recognition of the existing LO-S zoning.

The current owners would like the entire lot zoned RS9 and staff supports the request which is consistent with the zoning pattern along Queensbury Road.

### RELEVANT ZONING HISTORIES

| Case  | Request | Decision & Date | Direction from Site | Acreage | Recommendation
<table>
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<tr>
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</thead>
<tbody>
<tr>
<td>W-2965</td>
<td>RS9 to LO-S</td>
<td>Approved 10-6-08</td>
<td>Included portion of current site</td>
<td>.75</td>
<td>Approval</td>
</tr>
<tr>
<td>Positive Aspects of Proposal</td>
<td>Negative Aspects of Proposal</td>
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</tr>
<tr>
<td>RS9 zoning is compatible with the adjacent zoning.</td>
<td>Future redevelopment of the adjacent LO-S zoned site to the south would no longer be able to extend parking into the subject property.</td>
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<tr>
<td>Prior to 2008 the site was entirely zoned RS9.</td>
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<td>The request should generate little traffic.</td>
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**STAFF RECOMMENDATION:** Approval

**NOTE:** These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**
CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3259
APRIL 9, 2015

PUBLIC HEARING
FOR: None
AGAINST: None

WORK SESSION
MOTION: Clarence Lambe moved approval of the zoning petition.
SECOND: Paul Mullican
VOTE:
  FOR: George Bryan, Melynda Dunigan, Arnold King, Clarence Lambe, Darryl Little,
       Paul Mullican, Brenda Smith, Allan Younger
  AGAINST: None
  excused: None
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Adult Day Care Home
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Church or Religious Institution, Community
Golf Course
Library, Public
Limited Campus Uses
Planned Residential Development
School, Private
School, Public
Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Bed and Breakfast
Child Day Care, Large Home
Habilitation Facility A
Landfill, Land Clearing/Inert Debris
Manufactured Home, Class A
Park and Shuttle Lot

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Parking, Off-Site, for Multifamily or Institutional Uses
Transmission Tower