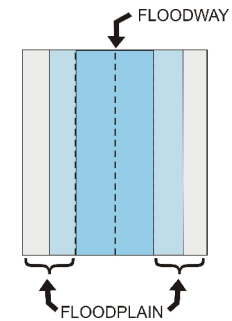


DOCKET #: W3053

PROPOSED ZONING:
PB

EXISTING ZONING:
LI

PETITIONER:
Michael S. Ryden
for property owned
by Same



SCALE: 1" represents 300'

STAFF: Roberts

GMA: 2

ACRES: 0.34

**NEAREST
BLDG:** 15' north

MAP(S): 630850



January 20, 2010

Michael S. Ryden
29 Cascade Avenue
Winston-Salem, NC 27127

RE: ZONING MAP AMENDMENT W-3053

Dear Mr. Ryden:

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

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102

ACTION REQUEST FORM

DATE: January 20, 2010
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Michael S. Ryden

SUMMARY OF INFORMATION:

Zoning map amendment of Michael S. Ryden from LI to PB: property is located on the west side of South Poplar Street, north of West Salem Avenue (Zoning Docket W-3053).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED

CITY ORDINANCE - GENERAL USE

Zoning Petition of Michael S. Ryden, Docket W-3053

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 LI to PB the zoning classification of the following described property:

PIN #6835-20-4931

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3053
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Michael S. Ryden
Owner(s)	Same
Subject Property	PIN #6835-20-4931
Address	1010 and 1016 South Poplar Street
Type of Request	General use rezoning request from LI to PB.
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial District) to PB (Pedestrian Business District).</p> <p>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.</p>
Zoning District Purpose Statement	<p>The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.</p>
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, request is consistent with the purpose statement of the proposed PB District in that the site is located within the Urban Neighborhoods (GMA 2) and one of the structures has historically been used for retail purposes. Also the existing two structures demonstrate pedestrian oriented design elements by being pulled up to the street, with on-street parking, and entrances facing the street.</p>
GENERAL SITE INFORMATION	
Location	West side of South Poplar Street, north of West Salem Avenue
Jurisdiction	City of Winston-Salem
Ward(s)	South
Site Acreage	± .34 acre

Current Land Use	Single family home and accessory building			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	PB	Business use	
	East	PB	The Enrichment Center	
	South	LI	Single family home	
	West	LI	Single family homes	
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Yes, the uses allowed in the proposed PB District are compatible with the uses permitted on the adjacent PB and LI zoned properties.			
Physical Characteristics	The site slopes downward gently to the west. A small portion of the Salem Creek 100 year flood plain encroaches on the western edge of the site.			
Proximity to Water and Sewer	Public water and sewer are available.			
Stormwater/ Drainage	No known issues.			
Historic, Natural Heritage and/or Farmland Inventories	The subject property is a contributing resource in the West Salem National Register Historic District. Located on the site are two structures; both are c. 1900 frame buildings. The residential building is a two-story, side-gable I-House, and the outbuilding located immediately south is a front-gable building with a single entry. Both these structures have a strong streetscape presence along South Poplar Street and possess a high degree of architectural integrity.			
Analysis of General Site Information	The site appears to have no development constraints; however, the current general use request provides no assurance the existing historic structures would remain.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
South Poplar Street	Local street	101'	NA	NA
Proposed Access Point(s)	Because this is a general use request, the exact location of access points is unknown; however, the site does have public road frontage on South Poplar Street.			
Trip Generation - Existing/Proposed	No trip generation is available for existing and proposed general use zoning.			
Sidewalks	Sidewalks are located along both sides of South Poplar Street.			
Transit	Route 29 along South Marshall Street.			
Analysis of Site Access and Transportation Information	Staff does not anticipate any negative transportation impacts from this request.			

CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA		Growth Management Area 2, Urban Neighborhoods				
Relevant Legacy Recommendations		<ul style="list-style-type: none"> • Encourage redevelopment of infill and “under invested” areas. (p. 71) • Support the redevelopment of business and residential neighborhoods around the N.C. School of the Arts. (p. 81) • Protect existing neighborhoods through the creation of opportunities and incentives for their rehabilitation, redevelopment, and revitalization. (p. 123) 				
Relevant Area Plan(s)		<i>South Central Area Plan, 2003</i>				
Area Plan Recommendations		<ul style="list-style-type: none"> • The subject property is identified as part of the Southeast Gateway Neighborhood Activity Center. The plan recommends redeveloping the area north of Salem Avenue with a mix of uses, while retaining the historic residential character of the area. Historic structures should be retained and new structures should be of a character and scale consistent with existing historic structures. Offices and specialty shops with parking on street or behind structures are also recommended. 				
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		<p>The subject general use request is to rezone the property from LI to PB. The site is located within the West Salem National Register Historic District and includes two c. 1900 contributing structures. One of the buildings has a history of retail use being the former Poplar Street Country Store.</p> <p>The site is also located within the Southeast Gateway Neighborhood Activity Center as is designated in the <i>South Central Area Plan</i>. The plan recommends redeveloping the subject property and surrounding sites north of Salem Avenue with a mix of uses, while retaining the historic residential character of the area. The proposed PB District, with its wide mixture of uses and pedestrian orientation, is more in keeping with the vision of the area plan than is the existing LI District. However, because the request is a general use petition, there is no guarantee the structures would remain.</p>				
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3029	MU-S TWO PHASE Site Plan Amendment	Withdrawn 5-4-09	700' west	17.82	Approval	Tie Vote

W-2736	IP, HB, LI & GI to MU-S TWO PHASE	Approved 12-6-04	175' south	49.04	Approval	Approval
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
Request would allow a broader list of potential uses which may in turn facilitate the renovation and reuse of two historic buildings.			The subject general use request includes no assurance that the two contributing historic structures will remain.			
The proposed PB District is consistent with the <i>South Central Area Plan</i> in that the proposed PB District would allow for a greater mix of uses on the site.						
Request is consistent with <i>Legacy</i> in that it would encourage redevelopment of and infill area near the N.C. School of the Arts.						

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.**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment.

SECOND: Wesley Curtis

VOTE:

FOR: Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Darryl Little, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning