DOCKET #: W3021

PROPOSED ZONING:
RS9

EXISTING ZONING:
LB-S

PETITIONER:
Zachary T. Smithdeal
for property owned by Same

SCALE: 1" represents 200'

STAFF: King

GMA: 3

ACRES: .35

NEAREST BLDG: 3' west

MAP(S): 606838
March 25, 2009

Zachary T. Smithdeal
121 Hewes Street
Winston-Salem, NC  27103

RE:  Zoning Map Amendment W-3021

Dear Mr. Smithdeal:

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
**ACTIONS REQUEST FORM**

<table>
<thead>
<tr>
<th>DATE:</th>
<th>March 25, 2009</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</td>
</tr>
</tbody>
</table>

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning map amendment of Zachary T. Smithdeal

**SUMMARY OF INFORMATION:**

Zoning map amendment of Zachary T. Smithdeal from LB-S (Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Building Contractors, Heavy; ABC Store; Building Material Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; and Medical and Surgical Offices) to RS-9: property is located on the south side of Hewes Street, west of Stratford Road (Zoning Docket W-3021).

**PLANNING BOARD ACTION:**

<table>
<thead>
<tr>
<th>MOTION ON PETITION</th>
<th>APPROVAL</th>
</tr>
</thead>
<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>
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 LB-S (Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Building Contractors, Heavy; ABC Store; Building Material Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; and Medical and Surgical Offices) to RS-9 the zoning classification of the following described property:

PIN #6804-91-9750

Section 2. This ordinance shall become effective upon adoption.
## PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Aaron King</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Zachary T. Smithdeal</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #6804-91-9750</td>
</tr>
<tr>
<td>Address</td>
<td>121 Hewes Street</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 LB-S (Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Building Contractors, Heavy; ABC Store; Building Material Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; Medical and Surgical Offices) to RS-9 (Residential Single Family; 9,000 sf lot size).

### Zoning District Purpose Statement

The RS-9 District is primarily intended to accommodate relatively high density single family detached dwellings in urban areas. This district is intended for application in Growth Management Areas 2 and 3, and may be suitable in activity centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available.

**NOTE:** Both general 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.

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)

(S)(I) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes, the subject property is located in GMA 3 and has access to public water and sewer.

## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>South side of Hewes Street, west of Stratford Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Southwest</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 0.35 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Existing single family home and associated accessory building</td>
</tr>
<tr>
<td>Surrounding Property Zoning and Use</td>
<td>Direction</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>North</td>
<td>RS-9</td>
</tr>
<tr>
<td>East</td>
<td>HB-S</td>
</tr>
<tr>
<td>South</td>
<td>LB-S</td>
</tr>
<tr>
<td>West</td>
<td>RS-9</td>
</tr>
</tbody>
</table>

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

(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes, the RS-9 district would be compatible with the existing development pattern in the area.

**Physical Characteristics**
The property slopes down moderately from north to south.

**Proximity to Water and Sewer**
The site has access to public water and sanitary sewer.

**Stormwater/Drainage**
No known issues.

**Watershed and Overlay Districts**
The subject property is not located within a water supply watershed.

**Analysis of General Site Information**
The subject property was rezoned to B-3-S (converted to LB-S) in 1989. The approved site plan proposed a one-story, 726 square feet building along with two accessory buildings totaling 604 square feet. The site currently contains a single family home along with a large accessory building located on the southern portion of the property.

**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>Hewes Street</td>
<td>Local Road</td>
<td>121 feet</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**
Since this is a general use request, the exact location of access points is unknown. However, the site does have public road frontage.

**Trip Generation - Existing/Proposed**
Existing Zoning: LB-S
726 / 1,000 x 362.2 (Convenience Market Trip Rate) = 262 Trips per Day

Proposed Zoning: RS-9
1 SF home = 10 trips per day

**Sidewalks**
None existing

**Transit**
Route 19 runs along Stratford Road

**Traffic Impact Study (TIS)**
Not required

**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**
GMA 3 (Suburban Neighborhoods)

**Relevant Area Plan(s)**
Southwest Suburban Area Plan (2008)

**Area Plan Recommendations**
The Southwest Suburban Area Plan (SSAP) recommends this site for office zoning.

**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)**
(S)(3) - Have changing conditions substantially affected the area in the petition?
No

(S)(4) - Is the requested action in conformance with Legacy?
Yes, see explanation below

**Analysis of Conformity to Plans and Planning Issues**
Although the Southwest Suburban Area Plan (SSAP) recommends office uses for this site, staff views this RS-9 request as also being suitable at this location because the site is developed with a single family home.

RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
<th>Staff</th>
<th>CCPB</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-2737</td>
<td>HB &amp; RS-9 to LB-S</td>
<td>Approved 1/3/05</td>
<td>South</td>
<td>1.89</td>
<td>Approval</td>
<td></td>
<td>Approval</td>
</tr>
<tr>
<td>W-1589</td>
<td>R-6 to B-3-S (LB-S)</td>
<td>Approved 7/17/89</td>
<td>Subject property</td>
<td>0.35</td>
<td>Approval</td>
<td></td>
<td>Approval</td>
</tr>
<tr>
<td>W-1493</td>
<td>R-6 to B-3-S (HB-S)</td>
<td>Approved 1/4/88</td>
<td>East</td>
<td>1.67</td>
<td>Denial</td>
<td></td>
<td>Approval</td>
</tr>
</tbody>
</table>

**UDO Sections Relevant to Subject Request**
- Section 2-1.2(H) RS-9 District

**Complies with Chapter B, Article VII, Section 7-5.3**
(A) Legacy policies: Yes
(B) Environmental Ord. NA
(C) Subdivision Regulations NA

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>RS-9 zoning is compatible with the general area.</td>
<td>The Southwest Suburban Area Plan recommends office use for this site.</td>
</tr>
<tr>
<td>The site currently contains a single family home.</td>
<td></td>
</tr>
<tr>
<td>Potential trip generation would be reduced.</td>
<td></td>
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</tbody>
</table>

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:  Wesley Curtis moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND:  Lynne Mitchell
VOTE:
    FOR:  Jerry Clark, Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith
    AGAINST:  None
    EXCUSED:  None

___________________________
A. Paul Norby, FAICP
Director of Planning