DOCKET #: W2827

PROPOSED ZONING:
MH

EXISTING ZONING:
RS9

PETITIONER:
Ruth D. Boles for property owned by Same

SCALE: 1" represents 200'

STAFF: King

GMA: 3

ACRE(S): 0.82

MAP(S): 600846
January 25, 2006

Ruth D. Boles  
4756 Kirk Road  
Winston-Salem, NC  27103  

RE:   ZONING MAP AMENDMENT W-2827  

Dear Ms. Boles:  

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, AICP  
Director of Planning  

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

**DATE:** January 25, 2006  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, AICP, Director of Planning

## COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Map Amendment of Ruth D. Boles

## SUMMARY OF INFORMATION:

Zoning Map Amendment of Ruth D. Boles from RS-9 to MH: property is located west of Kirk Road south of U.S. 421 (Zoning Docket W-2827).

## PLANNING BOARD ACTION:

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED
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 **RS-9** to **MH** the zoning classification of the following described property:

Tax Block 3905, Tax Lot 49F

Section 2. This ordinance shall become effective upon adoption.
CITY-COUNTY PLANNING BOARD STAFF
STAFF REPORT FOR: Docket # W-2827
January 12, 2006

PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2827</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Aaron King</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Ruth D. Boles</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 49F, Tax Block 3905</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General use rezoning request from RS-9 to MH.</td>
</tr>
</tbody>
</table>

Proposal

The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 (Residential Single Family) to MH (Manufactured Housing).

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.

Zoning District Purpose Statement

The MH District is primarily intended to accommodate manufactured housing developments with a maximum overall density of five (5) units per acre. This district is intended for application in Growth Management Area 3 where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available.

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

(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes, the subject property is located within GMA 3 and does have access to public water and public sewer. It is also located within 100’ of Kirk Road.

GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>West of Kirk Road south of U.S. 421</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 ± 0.82 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Undeveloped land</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>NA</td>
<td>US 421</td>
</tr>
<tr>
<td>East</td>
<td>RS-9</td>
<td>Manufactured housing</td>
</tr>
<tr>
<td>South</td>
<td>MH</td>
<td>Manufactured home park</td>
</tr>
<tr>
<td>West</td>
<td>MH</td>
<td>Manufactured home park</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 site is bounded on the south side by a manufactured home park zoned MH, and to the east by manufactured housing on a lot zoned RS-9.

Physical Characteristics | The subject property is relatively flat, sloping down gently from front to back.
Proximity to Water and Sewer | Public water and sanitary sewer lines are located within the Kirk Road right-of-way.
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 is 0.82 acres in size and currently contains a few accessory structures. It appears that a principal structure was located in the approximate middle of the property, but has since been removed. Rezoning of the subject property from RS-9 to MH would be in keeping with the surrounding area. The site is adjacent to a manufactured home park to the south zoned MH. The RS-9 property to the east also contains two manufactured homes. U.S. 421 borders the subject property to the north. A noise barrier wall runs adjacent to the northern portion of the site, shielding it from view along U.S. 421 and also shielding noise from traffic along U.S. 421 from the subject property. The property is relatively flat and contains no streams or wetlands and poses no development constraints.

<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>Kirk Road</td>
<td>Local Road</td>
<td>NA</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.

Planned Road Improvements: No proposed road improvements to Kirk Road.

Trip Generation - Existing/Proposed:
- **Existing Zoning: RS-9**
  - 0.82 acres (RS-9) x 43,560 / 9,000 = 3 units x 9.57 (SFR Trip Rate) = 28 Trips per Day
- **Proposed Zoning: MH**
  - 0.82 acres (MH) x 43,560 / 10,000 = 3 units x 9.57 (SFR Trip Rate) = 28 Trips per Day

Sidewalks: None existing

Transit: Route 43 runs along Jonestown Road.
This request poses no negative transportation impacts. Trip generation mirrors that of the existing RS-9 zoning.

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**
GMA 3 (Suburban Neighborhoods)

**Relevant Legacy Recommendations**
- *Legacy* recommends utilizing the land in the Municipal Services Area (MSA) more effectively by encouraging a housing mix that includes more compact, higher density forms of residential development.

**Relevant Area Plan(s)**
The subject property is not located within the boundaries of an area plan or development guide.

**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 |

**Analysis of Conformity to Plans and Planning Issues**
The subject request is in conformance with the recommendations of *Legacy*, in that it provides an infill opportunity in an area where municipal services exist. The site is not located within the boundaries of an area plan or development guide.

### 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>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td><strong>Staff</strong></td>
</tr>
<tr>
<td>W-2682</td>
<td>HB to GB</td>
<td>Approved April 5, 2004</td>
<td>South</td>
<td>0.57 acres</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2373</td>
<td>RS-9 to GI and GI-S</td>
<td>Approved March 6, 2000</td>
<td>West</td>
<td>1.79 acres (GI-S)</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2028</td>
<td>RS-9 to GB-S</td>
<td>Approved February 19, 1996</td>
<td>Southeast</td>
<td>0.83 acres</td>
<td>Approval</td>
</tr>
<tr>
<td>W-1931</td>
<td>R-6 to B-3</td>
<td>Approved October 3, 1994</td>
<td>Southeast</td>
<td>0.42 acres</td>
<td>Approval</td>
</tr>
</tbody>
</table>

**UDO Sections Relevant to Subject Request**
- Section 2-1.1(P) MH 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>The request is consistent with the existing MH zoning to the south and the manufactured homes to the east.</td>
<td></td>
</tr>
<tr>
<td>The request poses no negative transportation impacts.</td>
<td></td>
</tr>
<tr>
<td>The request is in conformance with the recommendations of <em>Legacy</em>.</td>
<td></td>
</tr>
</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: Dara Folan moved approval of the zoning map amendment.

SECOND: Carol Eickmeyer

VOTE:

  FOR: Clark, Curtis, Eickmeyer, Folan, Glenn, King, Smith
  AGAINST: None
  EXCUSED: None

A. Paul Norby, AICP
Director of Planning