



DOCKET #: W2864

PROPOSED ZONING:
MH

EXISTING ZONING:
RS9

PETITIONER:
Martha B. Porter and
Jeffrey Martin Porter for
property owned by Same

SCALE: 1" represents 400'

STAFF: King

GMA: 3

ACRE(S): 0.70

MAP(S): 636834



June 21, 2006

Martha B. and Jeffrey Martin Porter
3985 and 3975 Overdale Road
Winston-Salem, NC 27107

RE: ZONING MAP AMENDMENT W-2864

Dear Ms. Porter and Mr. Porter:

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: June 21, 2006
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 Martha B. Porter and Jeffrey Martin Porter

SUMMARY OF INFORMATION:

Zoning Map Amendment of Martha B. Porter and Jeffrey Martin Porter from RS-9 to MH: property is located on the east side of Southdale Avenue, south of Potter Street (Zoning Docket W-2864).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Martha B. and Jeffrey M. Porter, Docket W-2864

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 RS-9 to MH the zoning classification of the following described property:

Tax Block 1391, Tax Lots 43, 44, 45, and 46

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD STAFF
STAFF REPORT FOR: Docket # W-2864
June 8, 2006**

PETITION INFORMATION			
Docket #	W-2864		
Staff	Aaron King		
Petitioner(s)	Martha B. Porter and Jeffrey Martin Porter		
Owner(s)	Same		
Subject Property	Tax Lots 43-46, Tax Block 1391		
Type of Request	General use rezoning request from RS-9 to MH.		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 (Residential Single Family; 9,000 sf lot size) to MH (Manufactured Housing).</p> <p>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.</p>		
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 (Suburban Neighborhoods) 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)	<p>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site contains two existing manufactured homes and is located within GMA 3. Public services including water and sewer are available to the site with a City owned park located across Southdale Avenue.</p>		
GENERAL SITE INFORMATION			
Location	East side of Southdale Avenue, south of Potter Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	Southeast		
Site Acreage	Approximately ± 0.70 acres		
Current Land Use	The property currently contains two manufactured homes.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	Single family home
	East	RS-9, MH, GI	Manufactured housing; Industrial warehouse
	South	RS-9	Undeveloped land
	West	RS-9	Manufactured home; City park

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 surrounding area already contains existing manufactured housing.			
Physical Characteristics	The site slopes down moderately from the northeast (+/- 878 ft.) to the southwest (+/- 856 ft.). The site contains no streams or wetlands.			
Proximity to Water and Sewer	The subject property is served by public sanitary sewer and public water.			
Stormwater/ Drainage	No known issues			
Watershed and Overlay Districts	The subject property is not located within the boundaries of a water supply watershed.			
Analysis of General Site Information	The subject property is approximately 0.70 acres in size and is located on the east side of Southdale Avenue south of Potter Street. The site contains a gentle topography that slopes down from the northeast to the southwest. The property contains no wetlands or streams and poses no development issues.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Southdale Avenue	Local Road	+/- 201 feet	NA	NA
Proposed Access Point(s)	The site has public road frontage along Southdale Avenue.			
Planned Road Improvements	None noted.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS-9</u> $0.70 \times 43,560 / 9,000 = 3 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 28 \text{ Trips per Day}$ <u>Proposed Zoning: MH</u> $0.70 \times 43,560 / 10,000 = 3 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 28 \text{ Trips per Day}$			
Sidewalks	None			
Transit	No			
Traffic Impact Study (TIS)	Not required			
Analysis of Site Access and Transportation Information	This request poses no negative transportation impacts.			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	GMA 3 (Suburban Neighborhoods)			

Relevant Legacy Recommendations	<i>Legacy</i> recommendations related to residential development include: encourage a mixture of housing types in neighborhoods; encourage infill development; and allow higher density infill development at appropriate locations. <i>Legacy</i> notes that manufactured housing can help fill a need for affordable housing in this community. Well maintained manufactured homes can alleviate neighborhood concerns that this type of housing reduces the value of surrounding properties. A housing goal in the <i>Legacy</i> plan is to . . . “provide a variety of quality housing types for all income levels and foster a climate that is hospitable to affordable housing development.” <i>Legacy</i> notes the negative perception many people have of manufactured housing and the need for better design of manufactured home developments to make them more compatible with and acceptable to surrounding neighborhoods.					
Relevant Area Plan(s)	The subject property is not located within the boundaries of an area plan or development guide.					
Other Applicable Plans and Planning Issues	The Inspections Division has indicated that the Zoning Board of Adjustment (ZBOA) has issued over ten renewals for each unit on the subject property.					
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 <i>Legacy</i> . Approval of this request would allow the petitioners relief from appearing before the ZBOA every five years for Special Use Permit renewals.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2773	GI & RS-9 to GB	Withdrawn at the 7/14/05 PB meeting	Southeast	12.10	Denial	NA
W-2483	RS-9 to MH	Approved 8/6/01	East	0.52	Approval	Approval
W-2320	RS-9 to GI	Withdrawn at the 5/13/99 PB meeting	Northeast	9.25	Denial	NA
W-2250	RS-9 to MH	Approved 9/8/98	East	1.33	Approval	Approval
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.2(P) MH District 					

Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy</i> policies:	Yes
	(B) <i>Environmental Ord.</i>	NA
	(C) Subdivision Regulations	NA
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
The request is in conformance with the recommendations of <i>Legacy</i> .		
The surrounding area already contains manufactured housing.		
MH zoning would provide a permanent solution, rather than requesting ZBOA renewals every five years.		
The request is consistent with the MH purpose statement.		

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: Jerry Clark

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning