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
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

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2864</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Aaron King</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Martha B. Porter and Jeffrey Martin Porter</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lots 43-46, Tax Block 1391</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; 9,000 sf lot size) 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 (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)**  
(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?  
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.

## GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>East side of Southdale Avenue, south of Potter Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Southeast</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 0.70 acres</td>
</tr>
</tbody>
</table>

## Current Land Use
The property currently contains two manufactured homes.

### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-9</td>
<td>Single family home</td>
</tr>
<tr>
<td>East</td>
<td>RS-9, MH, GI</td>
<td>Manufactured housing; Industrial warehouse</td>
</tr>
<tr>
<td>South</td>
<td>RS-9</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>West</td>
<td>RS-9</td>
<td>Manufactured home; City 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 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

<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>Southdale Avenue</td>
<td>Local Road</td>
<td>+/- 201</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s):**

The site has public road frontage along Southdale Avenue.

**Planned Road Improvements:**

None noted.

**Trip Generation - Existing/Proposed**

- **Existing Zoning:** RS-9
  - \(0.70 \times 43,560 / 9,000 = 3 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 28 \text{ Trips per Day}\)

- **Proposed Zoning:** MH
  - \(0.70 \times 43,560 / 10,000 = 3 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 28 \text{ Trips per Day}\)

**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

*Legacy* 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. *Legacy* 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 *Legacy* 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.” *Legacy* 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 *Legacy*. 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

<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>W-2773</td>
<td>GI &amp; RS-9 to GB</td>
<td>Withdrawn at the 7/14/05 PB meeting</td>
<td>Southeast</td>
<td>12.10</td>
<td>Denial</td>
</tr>
<tr>
<td>W-2483</td>
<td>RS-9 to MH</td>
<td>Approved 8/6/01</td>
<td>East</td>
<td>0.52</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2320</td>
<td>RS-9 to GI</td>
<td>Withdrawn at the 5/13/99 PB meeting</td>
<td>Northeast</td>
<td>9.25</td>
<td>Denial</td>
</tr>
<tr>
<td>W-2250</td>
<td>RS-9 to MH</td>
<td>Approved 9/8/98</td>
<td>East</td>
<td>1.33</td>
<td>Approval</td>
</tr>
</tbody>
</table>

**UDO Sections Relevant to Subject Request**

- Section 2-1.2(P) MH District
<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
<th>(A) Legacy policies:</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(B) Environmental Ord.</td>
<td>NA</td>
</tr>
<tr>
<td></td>
<td>(C) Subdivision Regulations</td>
<td>NA</td>
</tr>
</tbody>
</table>

**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 in conformance with the recommendations of Legacy.</td>
<td></td>
</tr>
<tr>
<td>The surrounding area already contains manufactured housing.</td>
<td></td>
</tr>
<tr>
<td>MH zoning would provide a permanent solution, rather than requesting ZBOA renewals every five years.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the MH purpose statement.</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: 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