



DOCKET #: W2881

PROPOSED ZONING:
LO-S (Multiple Uses)

EXISTING ZONING:
RS7 and RMU

PETITIONER:
North Carolina Housing
Foundation for property
owned by Same

SCALE: 1" represents 200'

STAFF: King

GMA: 2

ACRE(S): 3.13

MAP(S): 636854



August 23, 2006

NC Housing Foundation, Inc.
c/o Sandra Jennings
8 W. Third Street, Suite 565
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-2881

Dear Ms. Jennings:

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: August 23, 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 North Carolina Winston-Salem Housing Foundation, Inc. and Winston-Salem Housing Foundation, Inc.

SUMMARY OF INFORMATION:

Zoning Map Amendment of North Carolina Winston-Salem Housing Foundation, Inc. and Winston-Salem Housing Foundation, Inc. from RS-7 and RMU to LO-S (Professional Offices; Offices, Miscellaneous; Residential Building, Multifamily; Church or Religious Institution, Neighborhood; Neighborhood Organization; and Museum or Art Gallery): property is located on the southeast corner of East 5th Street and Dunleith Avenue (Zoning Docket W-2881).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - SPECIAL USE

Zoning Petition of North Carolina Winston-Salem Housing Foundation, Inc. and Winston-Salem Housing Foundation, Inc., Docket W-2881

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-7 and RMU to LO-S (Professional Offices; Offices, Miscellaneous; Residential Building, Multifamily; Church or Religious Institution, Neighborhood; Neighborhood Organization; and Museum or Art Gallery) the zoning classification of the following described property:

Tax Block 6055, Tax Lots 1B and 4

Section 2. This Ordinance is adopted after approval of the site plan entitled North Carolina Housing Foundation, Inc. and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, 20__ to North Carolina Winston-Salem Housing Foundation, Inc. and Winston-Salem Housing Foundation, Inc..

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as North Carolina Housing Foundation, Inc., Inc. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of North Carolina Winston-Salem Housing Foundation, Inc. and Winston-Salem Housing Foundation, Inc., (Zoning Docket W-2881). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for LO-S (Professional Offices; Offices, Miscellaneous; Residential Building, Multifamily; Church or Religious Institution, Neighborhood; Neighborhood Organization; and Museum or Art Gallery)", approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the LO-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department.
- b. Developer shall obtain a bufferyard variance from the Zoning Board of Adjustment.
- c. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department.

**CITY-COUNTY PLANNING BOARD STAFF
STAFF REPORT FOR: Docket # W-2881
August 10, 2006**

PETITION INFORMATION	
Docket #	W-2881
Staff	Aaron King
Petitioner(s)	North Carolina Winston-Salem Housing Foundation, Inc. and Winston-Salem Housing Foundation, Inc.
Owner(s)	Same
Subject Property	Tax Lots 1B and 4, Tax Block 6055
Type of Request	Special use rezoning request from RS-7 & RMU to LO-S to provide additional parking for an existing, legally nonconforming office use.
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-7 (Residential Single Family; 7,000 sf. lot size) and RMU (Residential Multifamily; unlimited density) to LO-S (Limited Office – Special Use Zoning). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Professional Offices; Offices, Miscellaneous; Residential Building, Multifamily; Church or Religious Institution, Neighborhood; Neighborhood Organization; and Museum or Art Gallery
Zoning District Purpose Statement	The LO District is primarily intended to accommodate moderately intense medical, professional, administrative, and government office uses on small to mid-sized sites, in a suburban setting. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so this district may serve as a transition between residential districts and commercial districts. This district is intended for application in Growth Management Areas 2 and 3.
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 subject property is located along a thoroughfare and within GMA 2.</p>
GENERAL SITE INFORMATION	
Location	Southeast corner of East 5 th Street and Dunleith Avenue
Jurisdiction	City of Winston-Salem
Ward(s)	East
Site Acreage	Approximately ± 3.13 acres
Current Land Use	Office buildings and a motor vehicle repair business currently being demolished.

Surrounding Property Zoning and Use	Direction	Zoning District		Use
	North	RS-7 & LB		Single family homes; restaurant
	East	RMU		Residential/office
	South	RM-8-S		Townhouses & twinhomes
	West	RS-7		Church
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, this request would allow a parking expansion for the property to the east.			
Physical Characteristics	The topography of the site slopes down gently from the south (+/- 920 ft.) to the north (+/- 898 ft.). The site contains no streams or wetlands.			
Proximity to Water and Sewer	The subject property will be served by public water and public 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 contains 3.13 acres and is located at the southeast corner of Fifth and Dunleith Streets. The site contains a gentle topography with no streams or wetlands. The proposed site plan offers only minor changes to the site, mainly adding parking spaces along the western portion of the property. The majority of the site will remain in its current state. The site contains an existing motor vehicle repair business that is currently being demolished and will be used for parking as part of this request.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>			
<ul style="list-style-type: none"> • Condition requiring stormwater study • Condition requiring ZBOA bufferyard variance 				
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Fifth Street	Major Thoroughfare	+/- 425 feet	4,100	16,100
Dunleith Avenue	Local Road	+/- 277 feet	NA	NA
Proposed Access Point(s)	The site plan indicates the existing access point onto Fifth Street will be the only point of access.			
Planned Road Improvements	The Thoroughfare Plan recognizes Fifth Street as being adequate.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS-7 & RMU</u> 1.22 acres (RS-7) x 43,560 / 7,000 = 7 units x 9.57 (SFR Trip Rate) = 67 Trips per Day 24,500 / 1,000 x 11.01 (General Office Trip Rate) = 269 Trips per Day Total Estimated Trips Per Day For Existing Zoning = 336			

	Proposed Zoning: LO-S 24,500 / 1,000 x 11.01 (General Office Trip Rate) = 269 Trips per Day					
Sidewalks	Sidewalks exist along both street frontages					
Transit	Route 17 runs along Martin Luther King Jr. Boulevard.					
Traffic Impact Study (TIS)	Not required					
Analysis of Site Access and Transportation Information	The site's access will come via an existing drive aisle onto Fifth Street, with no new access points proposed. Staff anticipates no increase in the amount of trips being generated. Sidewalks currently exist along both street frontages and staff sees no negative impact to the transportation network.					
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Condition to obtain driveway permit • Condition to repair any damaged sidewalk or curb and gutter 					
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA	GMA 2 (Urban Neighborhoods)					
Relevant Legacy Recommendations	Manage growth by making more efficient use of land that has already been developed, encouraging reuse and infill and capitalizing on other development opportunities. Older urban and suburban neighborhoods should be reinforced as good places to live and do business.					
Relevant Area Plan(s)	<i>East Winston Area Plan (1988)</i>					
Area Plan Recommendations	<ul style="list-style-type: none"> • The <i>East Winston Plan</i> recommends this site as office or specialty shops. Offices are proposed along Fifth Street east of Martin Luther King Jr. Drive. 					
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 request is in conformance with the recommendations of <i>Legacy</i> and the <i>East Winston Area Plan</i> . This request would allow an expansion of the existing office/residential use currently existing on the property to the east.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2855	RS-7 to RMU	Withdrawn at the 6/8/06 PB meeting	Includes subject property	0.98 acres	NA	NA
W-2727	SUP for Parking Expansion	Approved November 1, 2004	North	0.62 acres	Approval	Approval

W-2652	RS-7 to PB-S	Approved November 3, 2003	Southwest	0.56 acres	Approval	Approval
W-2616	RMU & RS-7 to RM-8-S	Approved May 5, 2003	South	1.69 acres	Approval	Approval
W-2544	RS-7 to GB	Denied August 5, 2002	West	0.25 acres	Denial	Denial

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

Building Square Footage	Square Footage		Placement on Site	
	16,500 sf.		Along the eastern and southern property lines.	
Parking	Required	Proposed		Layout
	42 spaces	51 spaces		90° head-in
Building Height	Maximum		Proposed	
	40 feet		30 feet	
Impervious Coverage	Maximum		Proposed	
	75%		32%	
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.3(B) LO District 			
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:		Yes	
	(B) Environmental Ord.		Yes	
	(C) Subdivision Regulations		NA	
Analysis of Site Plan Compliance with UDO Requirements	The site plan proposes only minor changes to the site, mostly adding parking spaces for the ESR site to the east. Staff is awaiting minor revisions based on comments from the Interdepartmental Review Committee meeting.			

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> and the <i>East Winston Area Plan</i> .	The request would establish parking at the corner of Fifth and Dunleith Streets as a focal point.
The requested zoning and uses are compatible with the surrounding area.	
Approval of this request would allow the northwest portion of the site to be redeveloped and remove an unsightly prior use.	

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

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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: Clarence Lambe moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Paul Mullican

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning

