



DOCKET #: W2902

PROPOSED ZONING:
RS-9

EXISTING ZONING:
RS-9-S

PETITIONER:
Linville White LLC for
property owned by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 1.43

MAP(S): 654850



December 20, 2006

Linville White, LLC
c/o Todd White
P. O. Box 4901
Archdale, NC 27263

RE: ZONING MAP AMENDMENT W-2902

Dear Mr. White:

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
Glen White, 6415 Old Plank Road, High Point, NC 27265

ACTION REQUEST FORM

DATE: December 20, 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 Linville White, LLC

SUMMARY OF INFORMATION:

Zoning Map Amendment of Linville White, LLC from RS-9-S (Manufactured Home, Class A; and Residential Building, Single Family) to RS-9: property is located on the south side of Kernersville Road, west of Robbins Road (Zoning Docket W-2902).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Linville White, LLC, Docket W-2902

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-S (Manufactured Home, Class A; and Residential Building, Single Family) to RS-9 the zoning classification of the following described property:

Beginning at an existing iron pin located in the northwest corner of property, south 73° 15' 31" west, a distance of 330.26 feet from the intersection of Kernersville Road and Robbins Road; thence along the western property line of Hiatt Methodist Church (DB 813 PG 280) south 01° 27' 41" west, a distance of 321.95 feet to a new point; thence north 89° 36' 00" west, a distance of 219.95 feet to an existing iron pin located in the eastern property line of Westview Development Company (DB 2029 PG 2471); thence north 03° 19' 11" east, a distance of 153.73 feet to an existing iron pin, thence north 05° 18' 35" west, a distance of 111.59 to an existing iron pin located in the right-of-way of Kernersville Road, same point being the northeast corner of Westview Development Property; thence along the right-of-way of Kernersville Road a bearing of north 78° 11' 58" east a distance of 18.22 feet to an existing iron pin; thence north 03° 40' 36" east, a distance of 7.23 feet to an existing iron pin, thence along the right-of-way of Kernersville Road, north 78° 01' 50" east, a distance of 215.97 feet to the POINT AND PLACE OF BEGINNING.

Being a portion of the deeded tract for Linville White, LLC (DB 2696 PG 2283) and containing 1.495 acres, more or less.

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-2902		
Staff	Gary Roberts, AICP		
Petitioner(s)	Linville White, LLC		
Owner(s)	Same		
Subject Property	Tax Lot 106 and a portion of Tax Lot 4N / Tax Block 2617		
Type of Request	General use rezoning to RS-9		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS9-S Residential, Single Family District; 9,000 sf minimum lot size (Manufactured Home, Class A; and Residential Building, Single Family) to RS-9 Residential, Single Family District; 9,000 sf minimum lot size.</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 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.		
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</p>		
GENERAL SITE INFORMATION			
Location	South side of Kernersville Road, west of Robbins Road		
Jurisdiction	City of Winston-Salem		
Ward(s)	East		
Site Acreage	Approximately ± 1.43 acres		
Current Land Use	A Class A Manufactured Home is currently located on the site.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	Single family homes
	East	RS-9	Single family homes
	South	RS-9	Single family homes
	West	RS-9	Single family homes

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			
Physical Characteristics	The site has a gentle slope downward from Kernersville Road to the southern portion of the site.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Watershed and Overlay Districts	The site is not within a water supply watershed.			
Analysis of General Site Information	The site appears to be suitable for development under the proposed RS-9 District.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Kernersville Road	Major Thoroughfare	210'	15,000	16,100
Proposed Access Point(s)	Kernersville Road provides the only public street access to the site.			
Planned Road Improvements	The Thoroughfare Plan recommends a three lane, cross section with widened outside lanes and sidewalks for Kernersville Road.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS9-S</u> 1 unit x 9.57 (SFR Trip Rate) = 12 Trips per Day <u>Proposed Zoning RS-9</u> 1.43 acres x 43,560 / 9,000 = 6 units x 9.57 (SFR Trip Rate) = 57 Trips per Day			
Sidewalks	There are no sidewalks located in the general area.			
Transit	Not available			
Analysis of Site Access and Transportation Information	Access to the site is adequate.			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	GMA 3 (Suburban Neighborhoods)			
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • Infill development, like any land use issue, must balance the concerns of surrounding residents about the preservation of the character of their neighborhood with the needs of property owners and developers and the goals of the larger community. (p.40) • Encourage new and revitalized neighborhoods that offer a variety of quality housing types, convenience to services and shopping, and foster a strong sense of community. (p. 120) 			

Relevant Area Plan(s)	The site is not 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 <i>Legacy</i>?					
Yes						
Analysis of Conformity to Plans and Planning Issues	Recognizing that a Class A Manufactured Home is currently located on the site, the subject general use request would remove the opportunity to place a Class A Manufactured Home on the site without making application to the Zoning Board of Adjustment for a Special Use Permit. The proposed RS-9 District is consistent with all of the surrounding RS-9 zoned properties and Planning staff sees no inconsistency between the subject request and the recommendations of <i>Legacy</i> .					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1985	RS-9 to RS9-S	Approved 9-5-95	Current site	1.5	Approval	Approval
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The proposed RS-9 zoning is consistent with the zoning on all the surrounding properties.			The site will lose the privilege to have a Class A Manufactured Home without a Special Use Permit from the Board of Adjustment.			

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.

SECOND: Paul Mullican

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning