DOCKET #: W2749

PROPOSED ZONING: RS-7

EXISTING ZONING: RS-9

PETITIONER: Parker & Morgan, LLC, for property owned by Same

SCALE: 1” represents 400’

STAFF: Roberts

GMA: 3

ACRE(S): 0.35

MAP(S): 612866
DRAFT ZONING STAFF REPORT

DOCKET #  W-2749
STAFF:  Gary Roberts

Petitioner(s):  Parker Morgan, LLC
Ownership:  Same

REQUEST

From:  RS-9 Residential Single Family District; 9,000 sf minimum lot size
To:  RS-7 Residential Single Family District; 7,000 sf minimum lot size

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

NOTE:  This is a general use zoning petition; therefore, ALL uses permitted in the above requested district should be considered.

Acreage: 0.35 acre

LOCATION:

Street:  Southwest corner of Lancaster Street and Spradlin Street and on the east side of Merrimont Drive.
Jurisdiction:  City of Winston-Salem.
Ward:  West.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site:  Site is undeveloped.
Adjacent Uses:
  South- Single family home zoned RS-9.
  West- Undeveloped lot zoned RS-9.

GENERAL AREA

Character/Maintenance:  Well maintained single family residential neighborhood.
Development Pace:  Slow.

HISTORY

Relevant Zoning Cases:
1. W-942; R-4 to R-3; denied June 11, 1982; west side of Truman Street between Polo Road and Jeffrey Lane; 1.7 acres; Planning Board and staff recommended denial.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: No impact determined with general use request.
Topography: Gentle slope downward from the western portion of the site to the eastern portion.
Vegetation/habitat: Typical residential yard with a few trees.
Water Supply Watershed: Site is not within a water supply watershed.

TRANSPORTATION

Direct Access to Site: Merrimont Drive; and Lancaster Street.
Street Classification: Both streets are local streets.
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
No counts available for local streets.

CONFORMITY TO PLANS

GMP Area (Legacy): Suburban Neighborhoods, (GMA 3).
Relevant Comprehensive Plan Recommendation(s): 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.
Relevant Development Guide Recommendation(s): The Polo Reynolda Area Plan recognizes the petition site and the surrounding neighborhood as existing low density (0-5 dwelling units per acre) residential use. The development plan states: “Infill development within established single-family neighborhoods should be at densities of five units per acre or less.”

ANALYSIS

The subject request is to rezone a 0.35 acre lot from RS-9 to RS-7. The property is a double frontage lot located on the southwest corner of Lancaster Street and Spradlin Street and on the east side of Merrimont Drive. The lot is currently undeveloped and is surrounded by similarly sized lots with homes on them which are also zoned RS-9.

The permitted uses in the proposed RS-7 District are the same as in the existing RS-9 District. The only difference between the districts is in regard to the dimensional standards. Lots within the RS-7 District may have a minimum size and width of 7,000 square feet and 50 feet respectively. Lots within the RS-9 District must be at least 9,000 square feet and 65 feet wide. The building setbacks are also less stringent within the RS-7 District with the front setback being 15 feet as compared with 20 feet required in the RS-9 District.
The property is located within the *Polo Reynolda Area Plan* which was adopted in 1985. The plan recommends that infill development within established single-family neighborhoods should be at densities of five units per acre or less. This recommendation is consistent with the current RS-9 zoning which would allow up to 4.8 units per acre within a Planned Residential Development, PRD. RS-7 zoning would allow 6.2 dwelling units per acre within a PRD. The subject property is approximately 15,377 square feet. The proposed RS-7 District would therefore enable the property owner to subdivide the property into two separate building lots. From a land use intensity and impact to infrastructure perspective, this increase is relatively insignificant at the subject location. However, staff does have concerns from a neighborhood character and precedent setting standpoint.

Regarding neighborhood character, the majority of the existing homes which front along both Lancaster Street and Merrimont Drive have a front yard setback of 40-50 feet. As noted previously, the proposed RS-7 District has a minimum front yard setback of 15 feet. If the subject request is approved, it would allow a minor subdivision which would in turn permit the creation of two lots with one facing Lancaster Street and one facing Merrimont Drive. In order for each home to have a usable and private rear yard, it should be anticipated that the new houses would take advantage of the reduced front yard setback. This would result in the new homes being 25-35 feet closer to the street than the existing homes. Such an offset would have a detrimental impact to the houses which directly adjoin the subject property. In addition, it would be out of character with the overall streetscape in regard to the average setback of the existing homes.

Secondly, although the subject lot is unique in that it is currently undeveloped, there would be little reason why the surrounding properties should not likewise be rezoned to RS-7 if the current request is approved. The result would be the allowance of several additional homes to be constructed in what is now the rear yard of some of the existing homes. This again would be out of character with the established development pattern in the area.

Residential infill at higher densities makes sense in many locations when the proposed development can be done in a manner which not only meets minimum standards but adds value to the surrounding neighborhood. The subject request is inconsistent with the adopted area plan and would establish a precedent for residential infill development which is not compatible with the adjacent properties or the overall streetscape of Lancaster Street or Merrimont Drive.

**FINDINGS**

1. *Legacy* recommends a mixture of housing types in neighborhoods; the encouragement of infill development; and higher density infill development at appropriate locations.

2. The *Polo Reynolda Area Plan* recommends infill development within established single-family neighborhoods at densities of five units per acre or less.

3. The subject request provides no reasonable basis for a deviation to the recommended density of the adopted area plan.
4. The proposed RS-7 District would allow the property to be subdivided into two separate building lots which would negatively impact the adjoining homes and be detrimental to the streetscape of both Lancaster Street and Merrimont Drive.

**STAFF RECOMMENDATION**

Zoning: **DENIAL.**

**PUBLIC HEARING**

Staff informed the Planning Board that the petitioner had submitted a request for withdrawal.

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Dara Folan moved withdrawal of the zoning map amendment.
SECONed: Clarence Lambe

VOTE:

FOR: Clark, Eickmeyer, Folan, King, Lambe, Mullican, Norwood, Smith
AGAINST: None
EXCUSED: None

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A. Paul Norby, AICP
Director of Planning