DOCKET #: W2751

PROPOSED ZONING:
RS-30

EXISTING ZONING:
RS-9

PETITIONER:
T. David Neill and NDT, LLC, for property owned by Same

SCALE: 1” represents 400’
STAFF: Murphy
GMA: 3
ACRE(S): 10.56
MAP(S): 600866
February 23, 2005

T. David Neill and NDT, LLC
601 Jonestown Road
Winston-Salem, NC 27106

RE: ZONING MAP AMENDMENT W-2751

Dear Mr. Neill:

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, AICP
Director of Planning

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102
Thomas T. Crumpler, P. O. Drawer 5129, Winston-Salem, NC 27113
ACTION REQUEST FORM

DATE:         February 23, 2005
TO:           The Honorable Mayor and City Council
FROM:         A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of T. David Neil and NDT, LLC

SUMMARY OF INFORMATION:

Zoning map amendment of T. David Neil and NDT, LLC from RS-9 to RS-30: property is located on the northeast side of Shattalon Drive across from Summerfield Lane; (Zoning Docket W-2751).

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 RS-30 the zoning classification of the following described property:

Tax Block 3471   Tax Lot(s) 020F and 020G

Section 2. This ordinance shall become effective upon adoption.
ZONING STAFF REPORT

DOCKET #    W-2751
STAFF:      Murphy

Petitioner(s):  T. David Neill and N.D.T., LLC
Ownership:    Same

REQUEST

From:  RS-9, Residential Single Family District, 9,000 sf minimum lot size
To:    RS-30, Residential Single Family District, 30,000 sf minimum lot size

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

Acreage: 10.56

LOCATION:

Street: East side of Shattalon Drive across from Summerfield Lane.
Jurisdiction: City of Winston-Salem.
Ward: Northwest.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: A residential, single family home, as well as a large accessory
structure, are currently under construction.

Adjacent Uses:
   North- Single family homes, zoned RS-9.
   East-   Mill Creek and single family homes, zoned RS-9.
   South-  Shattalon Drive and single family homes, zoned RS-9.
   West-   Shattalon Drive and single family homes, zoned RS-9.

GENERAL AREA

Character/Maintenance: Well maintained single family residences.
Development Pace: Slow to moderate.
HISTORY

Relevant Zoning Cases:

1. W-2325; RS-9-S to RS-9-S (Residential Single Family, Special Use); approved July 6, 1999; west side of Shattalon Drive at the northern terminus of Thorn Ridge Drive, northwest of the current site; 1.94 acres; Planning Board and staff recommended approval.

2. W-833; R-6 to R-6-S (PRD - TWO PHASE); Final Development Plan approved March 24, 1987; Summerfield development, west and northwest of current site; 79.83 acres; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Topography: The subject property has an elevation of 824’ in the northwest corner, sloping down to an elevation of 756’ in the east (near a tributary to Mill Creek).

Streams: There is a blue-line stream (as shown on the USGS maps) in the northeast corner of the site (this stream is a tributary to Mill Creek).

Vegetation/habitat: Some existing, large variety trees on the western portion of the site (near Shattalon Drive).

Floodplains: There is some floodway fringe area in the northeast corner of the site, near the confluence of Mill Creek and the on-site tributary.

Wetlands: There is a PUBHh wetland shown on the wetlands inventory map (Rural Hall Quad) - it is an old farm pond. From our on-site visit, it appears that this pond may have been removed previously.

Natural Heritage Sites: The Mill Creek Wetland (Inventory # 13) is located approximately one (1) mile northeast of the subject property (upstream).

Environmental Resources Beyond The Site: Can not be determined with a general use request.

Water Supply Watershed: The subject property is not located within a water supply watershed.

Compliance with Federal/State requirements for wetland/stream protection: The applicant shall be responsible for securing all necessary Federal and State permits for wetland and stream disturbance(s).

TRANSPORTATION

Direct Access to Site: Shattalon Drive

Street Classification: Minor Thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day): 9,400/16,100

Planned Road Improvements/Thoroughfare Plan: The Long-Range Transportation Plan (LRTP) includes improving Shattalon Drive from two (2) to three (3) lanes with sidewalks and bike lanes (by 2014).

Sight Distance: May be an issue being on the inside of a sharp curve - with a general use petition, this item will be evaluated when a driveway permit is issued.

Traffic Impact Study recommended: None required.
Sidewalks: None.
Transit: None.
Bicycle Route: None.

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.
Area Plan/Development Guide: Site is not located within the boundaries of an area plan or development guide.
Relevant Development Guide Recommendation(s): N/A

HISTORIC RESOURCES REVIEW

Known Historic Resources: No
Comments: The Conrad-Cartner House (Inventory #647), probably dating from the 2nd quarter of the 19th century, was originally located on the subject property. However, the house has been demolished.

ANALYSIS

The subject request is to rezone two (2) lots totaling 10.56 acres on the east side of Shattalon Drive (across from Summerfield Lane) from RS-9 to RS-30. The two (2) lots are in common ownership. The site has an active building permit for a residential single family structure, as well as a large accessory structure.

The subject property is surrounded by property zoned RS-9. The surrounding development pattern consists of single family residential uses. Most of the single family residential properties west of Shattalon Drive in the vicinity of the subject property were approved as part of the major subdivision process and have lot sizes slightly larger than the 9,000 sf minimum size. Most of the single family residential properties east of Shattalon Drive (surrounding the subject property) were approved outside of the major subdivision process and are larger in size than the 9,000 sf minimum size (many in excess of one [1] acre).

The request is from one residential single family classification to another, less dense residential single family classification. However, the reduction in density is offset by additional uses being available within RS-30. Within GMA 3, there are five (5) uses allowed in RS-30 that are not allowed in RS-9. They are as follows:

- Agricultural Production, Crops;
- Fishing, Fee Charged;
- Manufactured Home, Class B;
- Manufactured Home, Class C; and
- Riding Stable.
All five (5) of the uses outlined above would require a Special Use Permit (SUP) issued by the City Board of Adjustment (BOA). Further, with the exception of Agricultural Production, Crops, each use has supplemental use conditions in Chapter B, Article II, Section 2-5.

**FINDINGS**

1. The subject petition would rezone 10.56 acres from RS-9 to RS-30.

2. The development pattern on the east side of Shattalon Drive is large lot, residential single family development.

3. The proposed RS-30 zoning allows five (5) uses within GMA 3 that are not allowed within the existing RS-9 zoning, each of which would require a separate Special Use Permit (SUP) issued by the City’s Board of Adjustment (BOA).

**STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Carol Eickmeyer moved approval of the zoning map amendment.

SECOND: Dara Folan

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