DOCKET #: W2782

PROPOSED ZONING: HB

EXISTING ZONING: RS9 and HB

PETITIONER: J. Franklin Myers and M. Dianne Myers for property owned by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 2.26

MAP(S): 624882
July 20, 2005

J. Franklin Myers and M. Dianne Myers
4200 N. Patterson Avenue
Winston-Salem, NC  27105

RE:   ZONING MAP AMENDMENT W-2782

Dear Mr. & Mrs. Myers:

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
<table>
<thead>
<tr>
<th>DATE:</th>
<th>July 20, 2005</th>
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<td>TO:</td>
<td>The HonorableMayor and City Council</td>
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<td>FROM:</td>
<td>A. Paul Norby, AICP, Director of Planning</td>
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**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Map Amendment of J. Franklin Myers and M. Dianne Myers

**SUMMARY OF INFORMATION:**

Zoning Map Amendment of J. Franklin Myers and M. Dianne Myers from RS-9 and HB to HB: property is located on the southeast corner of Oak Summit Road and Patterson Avenue (Zoning Docket W-2782).

**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 and HB to HB the zoning classification of the following described property:

Tax Block 3446    Tax Lots 4A, 5, 6, and 103

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

DOCKET #  W-2782
STAFF: Gary Roberts

Petitioner(s): J. Franklin Myers and M. Dianne Myers
Ownership: Same

REQUEST

From: RS-9 Residential Single Family District; 9,000 sf minimum lot size and HB Highway Business District
To: HB Highway Business District

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: 2.26

LOCATION:

Street: Southeast corner of Oak Summit Road and Patterson Avenue.
Jurisdiction: City of Winston-Salem
Ward: Northeast

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Several commercial and residential structures are located on the site, some of which have recently been demolished.

Adjacent Uses:
- North- Vulcan Materials rock quarry across Summit Road zoned GI.
- East- Undeveloped property zoned HB and RS-9.
- South- Commercial establishments and undeveloped property zoned HB.
- West- Multiple manufactured homes zoned HB.

GENERAL AREA

Character/Maintenance: Well to moderately well maintained commercial uses adjacent to a rock quarry.
Development Pace: Slow.
**HISTORY**

Relevant Zoning Cases:

1. W-2078; HB to GB; approved September 3, 1996; southwest corner of Patterson Avenue and Barlow Circle; 10.48 acres; Planning Board and staff recommended approval.

2. W-1145; R-4 to B-3 (HB); approved May 7, 1984; east side of Patterson Avenue approximately 650 feet south of Oak Summit Road; 2.4 acres; Planning Board and staff recommended approval.

**PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: No impact determined with general use request.

Topography: Gentle to moderate slope downward from the north to the south.

Vegetation/habitat: The majority of the site is heavily wooded.

Water Supply Watershed: Site is not within the boundaries of a water supply watershed

**TRANSPORTATION**

Direct Access to Site: Oak Summit Road and Patterson Avenue.

Street Classification: Oak Summit Road – Minor Thoroughfare; Patterson Avenue – Minor Thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

- Oak Summit Road between Germanton Road and University Parkway = 7,300/16,100;
- Patterson Avenue between Oak Summit Road and Germanton Road = 7,700/16,100

Planned Road Improvements/Thoroughfare Plan: Oak Summit Road and Patterson Avenue are recommended to be widened to a three-lane urban cross-section with bicycle and pedestrian accommodations.

Bicycle Route: None.

**CONFORMITY TO PLANS**

Growth Management Plan Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): *Legacy* promotes economic development which is compatible with existing neighborhoods and other business developments.


Relevant Development Guide Recommendation(s): The Area Plan recommends this site for mixed use development, but the Plan specifically states that it is appropriate for mostly commercial development.
ANALYSIS

The subject request is to rezone a 2.26 acre group of parcels located in the southeast quadrant of Patterson Avenue and Oak Summit Road from RS-9 and HB to HB. The site is largely undeveloped but does include some structures within the HB zoned portion along Patterson Avenue. Located across Oak Summit Road is the Vulcan Quarry site which is zoned GI. Undeveloped property and various commercial uses zoned HB are located to the east, south and west of the site.

The site is located within the recently adopted North Suburban Area Plan. The plan identifies this site as being within a much larger area bounded by Germanton Road, Oak Summit Road and Patterson Avenue. Mixed use development is recommended for this area however the plan specifically states that it is appropriate for mostly commercial development at this location.

Considering the recommendations of the area plan and the surrounding land use and zoning pattern, Planning staff recommends approval.

FINDINGS

1. Legacy promotes economic development which is compatible with existing neighborhoods and other business developments.

2. The North Suburban Area Plan recommends this site for mixed use development, but the plan specifically states that it is appropriate for mostly commercial development.

3. A majority of the subject property is already zoned HB.

4. The subject property adjoins GI to the north and HB to the east, south and west.

STAFF RECOMMENDATION

Zoning: APPROVAL.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment. SECOND: Jerry Clark
VOTE:
   FOR:  Clark, Curtis, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Smith
   AGAINST:  None
   EXCUSED:  None

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A. Paul Norby, AICP
Director of Planning