



DOCKET #: W2665

PROPOSED ZONING:
LB

EXISTING ZONING:
RS9 and LB

PETITIONER:
Ronald B. Creasy, Sr.
and Barbara M. Creasy

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 2

ACRE(S): 3.16

MAP(S): 636842



ZONING STAFF REPORT

DOCKET # W-2665
STAFF: Gary Roberts

Petitioner(s): Ronald B. Creasy Sr. and Barbara M. Creasy
Ownership: Same

REQUEST

From: RS-9 Single Family Residential District and LB Limited Business District
To: LB Limited 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: 3.16 acres

LOCATION:

Street: South side of Waughtown Street and east side of Peachtree Street.
Jurisdiction: City of Winston-Salem.
Ward: Southeast.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Neighborhood scale retail store.

Adjacent Uses:

- Northeast- Single family homes zoned RS-9.
- East- Single family homes zoned RS-9.
- South- Single family homes zoned RS-9.
- West- Single family homes and a small business zoned RS-9 and PB-S..
- Northwest- Single family homes and small adaptive reuse businesses zoned LB.

GENERAL AREA

Character/Maintenance: Well to moderately well maintained neighborhood scale commercial and single family residential uses in an established, urban neighborhood.

Development Pace: Slow.

HISTORY

Relevant Zoning Cases:

1. W-2587; PB-S (Food or Drug Store) to RS-9; approved December 2, 2002; south side of Waughtown Street west of Peachtree Street; 0.43 acre; Planning Board and staff recommended approval.
2. W-2502; LB and RS-9 to LB; approved October 10, 2001; northwest corner of Waughtown Street and Pleasant Street; 0.82 acre; Planning Board and staff recommended approval.
3. W-2157; LB and RS-9 to PB-S (Food or Drug Store); approved June 2, 1997; southwest corner of Waughtown Street and Peachtree Street; 1.58 acres; Planning Board recommended denial, staff recommended approval.
4. W-2011; LB and RS-9 to LB; approved December 4, 1995; north side of Waughtown Street east of Peachtree Street; 0.67 acre; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Because this is a general use request, the impact of this proposal on existing features cannot be determined at this time.

Topography: Gentle slope downward from the northeast corner of the site to the southwest corner of the site.

Streams: No streams are on or near the subject property.

Vegetation/habitat: A small amount of vegetation is present on the subject property to the rear of the large existing structure along the southern border of the property.

Environmental Resources Beyond The Site: Because this is a general use request, the impacts to environmental resources beyond the site cannot be determined at this time.

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

TRANSPORTATION

Direct Access to Site: Waughtown Street; Peachtree Street.

Street Classification: Waughtown Street – Major Thoroughfare; Peachtree Street – Collector.

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

Waughtown Street between Martin Luther King Jr. Drive and Clemmonsville

Road=9,000/ 2,700; Sprague Street between Thomasville Road and Clemmonsville Road
= 5,700/12,700

Clemmonsville Road between Waughtown Street and Sprague Street = 12,000/10,500

Sidewalks: On both sides of all streets.

Transit: Route 29 along Sprague and Peachtree Streets.

Bicycle Route: Route 12, Reynolds Park Road Area Loop, along Peachtree Street; Route 9, Salem Lake Connector, along Sprague Street.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Urban Neighborhoods (GMA 2).

Relevant Comprehensive Plan Recommendation(s): *Legacy* recommends neighborhood retail, and convenient commercial services to support neighborhood needs; and, protection of residential areas from inappropriate commercial and industrial encroachment. *Legacy* also recommends stimulation and promotion of economic activity in areas which have become less economically attractive provided that it is compatible with existing residential neighborhoods.

Area Plan/Development Guide: *Southeast Winston-Salem Area Plan* (2002).

Relevant Development Guide Recommendation(s): Attract appropriate nonresidential uses at a neighborhood scale in areas already zoned for commercial development. Improve commercial area at Waughtown and Peachtree Street through redevelopment of existing sites.

COMMUNITY DEVELOPMENT

Certified Area/Name: Waughtown.

Type of Certification: Rehabilitation, Conservation, and Reconditioning.

Redevelopment Recommendation(s): As this area was certified as a Rehabilitation, Conservation, and Reconditioning ("Rehab") area, there are no redevelopment recommendations for the site, nor the area. The City has and continues to encourage rehabilitation of properties in the area by enforcing the minimum housing code, encouraging rehab of properties and making community development loan funds available for both owner-occupied and investor owned improvement.

HISTORIC RESOURCES REVIEW

Historic District: Property is located in the Waughtown National Register Study List District
Comments: The property proposed to be rezoned includes two non-contributing structures in the Waughtown National Register Study List District. This property is located on a street that contains contributing one-story residential and commercial structures.

ANALYSIS

The subject request is to rezone 3.16 acres located on the south side of south side of Waughtown Street and the east side of Peachtree Street from RS-9 and LB to LB. The existing LB portion of the site includes two commercial buildings. The larger structure includes the Maxway store along with the unoccupied space of a previous CVS drug store. The smaller building is also currently unoccupied and was the former location of a dry cleaning establishment. The remainder of the site, which is zoned RS-9, includes the majority of the off-street parking areas along with the access and parking area connection to Peachtree street

The properties fronting Waughtown Street, surrounding the subject property, are characterized by a mixture of individual, small-scale retail, service and limited industrial establishments along

with single and multifamily residential uses and a church. Single family residences directly back up to the site along the eastern, southern and western sides along Peachtree Street.

The LB portion of the subject property has been zoned for commercial purposes at least since the 1960's. In 1971 the Zoning Board of Adjustment approved a request for commercial parking in the larger RS-9 area on the eastern portion of the site. Such an approval however was not granted for the western portion of the site which connects to Peachtree Street. Because said dry cleaning establishment has been vacated for more than a year, parking and loading within this western area which is zoned RS-9 is no longer permitted. Future reuse of the site is therefore limited.

Legacy recommends stimulation and promotion of economic activity in areas which have become less economically attractive provided that it is compatible with existing residential neighborhoods. The *South East Area Plan* recommends improving existing commercial sites through redevelopment. The site currently contains no streetyard, parking lot or bufferyard plantings and contributes little asthetically to the surrounding neighborhood. Staff's preference would be to not have LB directly adjacent to somewhat threatened single family homes, particularly along Peachtree Street. Although the possibility of constructing a commercial building on this 50 foot wide lot which connects to Peachtree Street is marginal, the potential for commercial lighting and signage etc. could have additional negative impacts on the adjacent residences.

However, in light of several somewhat unique factors regarding the subject property, staff views the current request in an overall positive light. Those factors include: the previously noted Board of Adjustment ruling; the service provided by the commercial establishments on the site to the surrounding neighborhood; and the fact that such a rezoning would require the installation of a currently nonexistent 15 foot type II vegetative buffer adjacent to the RS-9 properties. These additional plantings would provide at least some measure of screening and beautification to a commercial site which has operated for several decades without such vegetation.

While staff does support the subject request, it should be noted that in the likely instance the petitioner should appeal the requirement of such plantings to the Board of Adjustment, Planning Staff would not be supportive of any substantial waiver of such plantings.

FINDINGS

1. *Legacy* recommends stimulation of increased economic activity in areas of Forsyth County which have become less economically attractive and promotion of economic development that is compatible with existing residential neighborhoods.
2. The *South East Area Plan* encourages appropriate nonresidential uses at a neighborhood scale in areas already zoned for commercial development and improving existing commercial sites through redevelopment.
3. Limited expansion of the existing LB zoning would not be inconsistent with the historical use of the property.

4. A type II bufferyard will be required adjacent to residentially zoned property where currently none exists.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

SECOND: Jerry Clark

VOTE:

FOR: Bost, Clark, Eickmeyer, Glenn, King, Lambe, Mullican, Norwood

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning