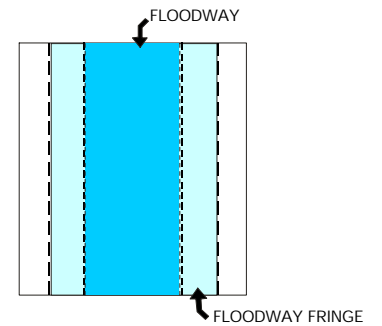


DOCKET #: W2480
 (Continued from 6/14/01
 CCPB meeting)

PROPOSED ZONING:
 RS9

EXISTING ZONING:
 RS9-S (Residential
 Building, Single Family)

PETITIONER:
 Roland Dodd and
 Diadra Carter-Dodd



SCALE: 1" represents 200'

STAFF: McGee

GMA: 2

ACRE(S): 0.35

MAP(S): 630862



July 25, 2001

Roland I. Dodd and Diadra M. Carter-Dodd
109 Midian Court
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT W-2480

Dear Mr. & Mrs. Dodd:

The attached report of the Planning Board to the Board of Aldermen is sent to you at the request of the Aldermen. You will be notified by the City Secretary's Office of the date on which the Aldermen 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
Lucious B. Oliver, 4403 Winnabow Road, Winston-Salem, NC 27105

ACTION REQUEST FORM

DATE: July 25, 2001
TO: The Honorable Mayor and Board of Aldermen
FROM: A. Paul Norby, AICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Roland I. Dodd and Diadra M. Carter-Dodd

SUMMARY OF INFORMATION:

Zoning map amendment of Roland I. Dodd and Diadra M. Carter-Dodd from RS-9-S (Residential Building, Single Family) to RS-9; property is located on the east side of Trade Street and on the west side of the Midian Court cul-de-sac (Zoning Docket W-2480).

PLANNING BOARD ACTION:

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of Roland I. Dodd and Diadra M. Carter-Dodd, Docket W-2480

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 Board of Aldermen 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 (Residential Building, Single Family) to RS-9 the zoning classification of the following described property:

Tax Block 6066, Tax Lot 12

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # W-2480

STAFF: Anthony McGee

Petitioner(s): Roland Dodd and Diadra Carter-Dodd

Ownership: Same

CONTINUANCE HISTORY This petition was filed for the June 14, 2001 meeting as a special use petition for RS-9-S (Residential Building, Single Family; and Large Home Day Care). Due to staff's recommendation, the case was continued and revised to general use zoning.

REQUEST

From: RS-9-S Residential Single Family District; minimum lot size 9,000 sf (Residential Building, Single Family)

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

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: East side of Trade Street and west side of Midian Court cul-de-sac.

Jurisdiction: City of Winston-Salem.

Ward: Northeast.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Single family home.

Adjacent Uses:

- North - Single family homes zoned RS-9.
- East - Single family homes zoned RS-9.
- South - Single family homes zoned RS-9.
- West - Across Trade Street are a vacant grassy field and multifamily housing (Kimberly Park, part of the Hope VI project) both zoned RM-18.

GENERAL AREA

Character/Maintenance: Well maintained houses in a mixed income neighborhood. The Hope Six Redevelopment Project is near the site.

Development Pace: Slow.

TRANSPORTATION

Direct Access to Site: Midian Court; Trade Street.

Street Classification: Midian Court - local road; Trade Street - minor thoroughfare.

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

Trade Street between Northwest Boulevard and Glenn Avenue = 2,600/13,000

Trip Generation/Existing Zoning: RS-9-S

$0.35 \times 43,560/9,000 = 1 \text{ unit} \times 9.57 \text{ (SF Trip Rate)} = 9 \text{ trips per day}$

Trip Generation/Proposed Zoning: RS-9-S

Transit: Route #5, along Trade Street to Northwest Boulevard; Route #7, along Trade Street from Northwest Boulevard northward.

Bike: Route #11, East Winston Loop, northwest along Trade Street and Glenn Avenue

HISTORY

Relevant Zoning Cases:

1. W-1678; R-2 to R-4-S (Dwelling, Single Family); approved September 4, 1990; two city blocks, bordered by Trade Street on the west, Southern Railways on the east and Northwest Boulevard on the south, which includes the current site; 14.3 acres; staff and Planning Board recommended approval.
2. Rezoning request for industrial, business and residential uses have been approved in this area in the past. However, none of these were relevant to the above rezoning request (W-1678) and are not relevant to the current petition.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Urban Neighborhoods.

Relevant Comprehensive Plan Recommendation(s): Provide needed services in existing neighborhoods; and, locate and design child care facilities so that they are convenient for parents, safe for children, and compatible with their neighbors.

Area Plan/Development Guide: None.

Relevant Development Guide Recommendation(s): N/A.

COMMUNITY DEVELOPMENT

Certified Area/Name: Kimberly/North Winston (NCR-62).

Type of Certification: Redevelopment.

Redevelopment Recommendation(s): This site is located in an area that was acquired, cleared and redeveloped as part of the Kimberly North Winston Redevelopment project. The site was identified for single-family development in the redevelopment plan. The covenants of the redevelopment plan restricted the site for residential use, however, those covenants ran for only 25 years and expired in the mid-1990's.

ANALYSIS

Subject site is a single family house with an accessory use of Small Home Child Day Care. The original RS-9-S petition was for expansion of the use to include Large Home Child Day Care; which is not allowed under the current Special Use zoning for the site.

Access to the site is from the Midian Court cul-de-sac which appears adequate to service the current uses of the property. Staff has concerns, however, with intensifying traffic to the site through Midian Court as increased traffic from a larger Day Care Facility may negatively impact adjacent properties. The petitioner's request for access to Trade Street is prohibited by a negative access easement.

During the June 2001 planning board meeting staff recommended that the petition be resubmitted as a General Use petition and then go before the Zoning Board of Adjustment (ZBOA) for approval of the requested accessory use. The current petition is for that change to a general use district. If this petition is approved the ZBOA will be able to proceed with its review, which includes findings of fact and sworn testimony, which Planning Staff believes is a more appropriate process through which to determine any impacts to the site.

FINDINGS

1. Expansion of the accessory use may not be appropriate at this site.
2. Additional traffic could adversely effect adjacent properties.
3. Access to Trade Street is prohibited by a negative access easement.
4. General Use zoning at this location would allow the petitioner to seek approval from the ZBOA.
5. The scrutiny of the ZBOA review is a more appropriate venue to determine impacts from intensifying the accessory use.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Kem Schroeder moved approval of the zoning map amendment.

SECOND: Jimmy Norwood

VOTE:

FOR: Avant, Clark, Doyle, King, Norwood, Powell, Schroeder

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning