



DOCKET #: W2499
 (Continued from 9/13/01
 CCPB meeting)

PROPOSED ZONING:
 PB

EXISTING ZONING:
 RSQ

PETITIONER:
 Grady F. Chatman III,
 Linda H. Russell,
 Howard H. Davis,
 and Scott Hayes

SCALE: 1" represents 200'

STAFF: Hughes

GMA: 2

ACRE(S): 0.77

MAP(S): 624854



DRAFT ZONING STAFF REPORT

DOCKET # W-2499
STAFF: Suzy Hughes

Petitioner(s): Grady F. Chatman, III, Linda H. Russell, Howard H. Davis, and Scott Hayes
Ownership: Same

CONTINUANCE HISTORY: This rezoning petition was originally heard on September 13, 2001. The petitioner requested a continuance to pursue special use zoning, however a site plan has not been submitted and the UDO does not allow any further continuances.

REQUEST

From: RSQ Residential Single Family Quadraplex District; minimum lot size depends on use
To: PB Pedestrian 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: 0.77 acre

LOCATION

Street: North side of Peters Creek Parkway and east side of Park Circle.
Jurisdiction: City of Winston-Salem.
Ward: Northwest.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Four residential buildings.

Adjacent Uses:

North -	Residential, zoned RSQ and business uses further north, zoned PB and PB-S.
East -	Vacant land, zoned RSQ.
South -	Vacant land, zoned RSQ.
West -	Residential, zoned RSQ.

GENERAL AREA

Character/Maintenance: Moderately to well maintained residential structures.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Off-street parking would be required for most PB uses. Parking areas would likely be developed in the backyards of the existing residential structures.

Topography: Site is fairly flat.

Vegetation/habitat: Large mature trees.

Constraints: Minor.

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

TRANSPORTATION

Direct Access to Site: Peters Creek Parkway; Park Circle.

Street Classification: Peters Creek Parkway - major thoroughfare; Park Circle - local.

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

Peters Creek Parkway - no count/20,000

Sidewalks: Existing along Peters Creek Parkway.

Transit: WSTA Route 23 along Peters Creek Parkway, southeast of site.

HISTORY

Relevant Zoning Cases:

1. W-1891; B-3 to B-2-S (Offices; and Parking); approved July 2, 1984; north and south of First Street between Park Circle and Peters Creek Parkway; 0.77 acre; Planning Board and staff recommended approval.
2. W-1400; R-2 to B-3; approved December 15, 1986; south side of First Street between Peters Creek Parkway and Green Street; 0.19 acre; Planning Board and staff recommended approval.
3. W-1175; B-2-S (Offices and Parking) to B-2-S (Medical, dental, or related offices; Offices; Parking); southeast corner of First Street and Park Circle and northern corners of First Street and Fayette Street; 1.34 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Urban Neighborhoods and along a designated Urban Boulevard (Peters Creek Parkway).

Relevant Comprehensive Plan Recommendation(s): General: Promote economic development that is compatible with existing residential neighborhoods; and, protect residential areas from inappropriate commercial and industrial encroachment.

Urban Neighborhoods: Encourage quality infill development, greater residential densities where appropriate, neighborhood retail, and community services; and, historic preservation, rehabilitation and reuse of existing structures are encouraged.

Urban Boulevards: Purpose is to create attractive urban gateways leading into downtown Winston-Salem; concentrate jobs, retail, and higher density housing at selected points along the corridors; promote high quality transit services and pedestrian access by increasing densities along the corridors; and, incorporate design features that support pedestrian activity and give the corridors an urban look and feel.

Area Plan/Development Guide: Site is located within the South Central Area Plan area. Work on the South Central Plan is beginning Fall 2001 and is likely to be completed in early summer 2002.

ANALYSIS

The petitioners have submitted the proposal to rezone 0.77 acre from RSQ to PB. These five lots face a portion of Park Circle that separates the property from Peters Creek Parkway. Over the years with the development and increased use of Peters Creek Parkway and I-40, the area to the north of this site has become less residential in character. There have been numerous rezonings to business classifications. On first glance at a zoning map, this property may not seem appropriate for residential uses with Peters Creek Parkway nearby as well as the business uses on First Street. However, the majority of the business classifications nearby face onto First Street or other streets north of this site. The immediate area surrounding this property is residential in character. Peters Creek Parkway is very close but is separated from the property by a grassy island which provides a separation from the traffic. James Mitchell of Roadway Appearance indicated if a request were made, landscaping could be planted on the islands during the next fiscal year.

As the character of the immediate area is residential, a rezoning to a general use business classification would be a detriment to the values of surrounding structures as homes. A rezoning to business at this location would set a precedent for business zoning to encompass the entire block of Park Circle south of First Street as well as the west side of Park Circle. The existing residential neighborhood would best be served by the stabilization of the residential element of the area rather than an expansion of business into the area. Business zoning at this location would cause traffic problems for those attempting to access Park Circle or Peters Creek Parkway from the site.

Legacy calls for the promotion of commercial uses along urban boulevards such as Peters Creek Parkway, but only where appropriate. This is not an appropriate location as it would come at the cost of the integrity of the existing residential neighborhood. *Legacy* also calls for the protection of residential areas from inappropriate commercial uses.

The existing RSQ is an appropriate zoning classification for the property as it allows for a variety of housing densities and provides housing opportunities near the urban core.

FINDINGS

1. *Legacy* calls for the protection of residential areas from inappropriate commercial uses.
2. The immediate area surrounding this property is residential in character.
3. The increased traffic associated with most PB uses would be detrimental to the traffic movements at the intersection of Park Circle and Peters Creek Parkway.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

PUBLIC HEARING - September 13, 2001

Suzy Hughes presented the staff report.

FOR:

Howard H. Davis, 130 Park Circle, Winston-Salem, NC 27101

We would recommend that the access to Peters Creek at the northeast end of the traffic island.

There is a vacant lot which can be used for a parking area.

We do have access and parking available for the use we intend for this property.

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. Street closure is a separate issue.
2. General Use and Special Use options were discussed with the petitioner.
3. Doyle - a lot of this area is in transition.

4. Doyle - the traffic island concerns me.
5. The petitioner was asked if he would consider special use district zoning. He indicated he would like to do that.

MOTION: John Bost moved continuance of the zoning map amendment to November 8, 2001

SECOND: Terry Powell

VOTE:

FOR: Avant, Bost, Clark, Doyle, King, Norwood, Powell, Snelgrove

AGAINST: None

EXCUSED: None

PUBLIC HEARING - November 8, 2001

FOR: None

AGAINST: None

WORK SESSION

MOTION: Philip Doyle moved withdrawal of the zoning map amendment with the reduction in fees to \$350 when the plan is resubmitted as a special use district request.

SECOND: John Bost

VOTE:

FOR: Bost, Clark, Doyle, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning