DRAFT ZONING STAFF REPORT

DOCKET #  W-2393
STAFF:  Larry Weston

Petitioner(s):  K. T. Isenhour Construction Company
Ownership:  Kathy Lynn Yokley, et al; Violet W. Yokley; Linda Yokley Shouse; Thad J. Bingham, et al; and Max C. Bingham

REQUEST

From:  RS-9 Residential Single Family District; minimum lot size 9,000 sf
To:  MH-S Manufactured Housing District (Manufactured Housing Development - Planned Residential Development)

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

Acreage:  79.58 acres

LOCATION

Street:  Northern terminus of Nicholson Road, north of Kernersville Road.
Jurisdiction:  City of Winston-Salem.
Ward:  East.

SITE PLAN

Proposed Use:  Manufactured Housing Development, Planned Residential Development.
Density:  0.925 units per acre.
Bufferyard Requirements:  A 30-foot type II bufferyard is required where lots abut the property line.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site:  Site is heavily wooded.
Adjacent Uses:
- North -  Vacant, wooded land and Salem Lake.
- East -  Vacant, wooded land.
- South -  Single family homes and manufactured homes, mostly Class A.
- West -  Vacant, wooded land.

GENERAL AREA

Character/Maintenance:  Moderately to well-maintained single family homes and manufactured homes.
Development Pace: Slow.

**PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Part of the site will be cleared for development.
Topography: Site slopes down to the northeast.
Streams: The Dunagaw Branch flows near the edge of the site and north to Salem Lake.
Vegetation/habitat: Site is wooded.
Constraints: Salem Lake Watershed.
Floodplains: The Dunagaw Branch floodplain touches the northeast corner of the site, however, no development is proposed near the floodplain.
Natural Heritage Sites: The Salem Lake natural area lies north of the site.
Water supply watershed: Salem Lake (WS-III) Reservoir Protection Area.
Compliance with Watershed Protection Regulations: Under low density option, must meet 1 du /40,000 sq. ft. or 12 % built upon area. Site plan meets requirements with 86 lots.
Compliance with Federal/State requirements for wetland/stream protection: Watershed stream buffer requirement is 100 feet on each side of perennial streams. Site plan meets requirements.

**TRANSPORTATION**

Direct Access to Site: Nicholson Road and Kernersville Road.
Street Classification: Nicholson Road - local street; Kernersville Road - major thoroughfare.
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Nicholson Road north of Kernersville Road - 600/nc (1995)
Trip Generation/Existing Zoning: RS-9
(79.58 acres x 43560)/40,000 = 86 lots x 9.55 (trip rate) = 827 new trips
Trip Generation/Proposed Zoning: MH-S
86 lots x 4.81 (trip rate) = 413 new trips
Planned Road Improvements: None.
Sight Distance: Good.
Interior Streets: Public.
Traffic Impact Study recommended: No.
Transit: Transit is not available at this time.

**HISTORY**

Relevant Zoning Cases:

1. W-1830; R-5 to R-6-S (Dwellings: Single Family; and Manufactured home not in a manufactured home park); approved August 2. 1993; east side of Nicholson Road north of Kernersville Road/NC 150; 1.29 acres; Planning Board and staff recommended approval.

2. W-1789; R-5 to R-6-S (Dwellings: Single Family; and Manufactured home not in a manufactured home park); approved October 5, 1992; east side of Nicholson Road north
of Kernersville Road/NC 150; 3.5 acres; Planning Board and staff recommended approval.

3. W-1763; R-5 to R-6-S (Dwellings: Single Family; and Manufactured home not in a manufactured home park); approved August 3, 1992; east side of Nicholson Road north of Kernersville Road/NC 150; 0.92 acre; Planning Board recommended denial, staff recommended approval.

CONFORMITY TO PLANS

Relevant Comprehensive Plan Recommendation(s): Encourage the use of a range of residential housing types in meeting the area’s projected housing needs. See more detailed area plan recommendations.
Relevant Development Guide Recommendation(s): A portion of this site is recommended as a residential opportunity area and a portion as rural and low density (up to 1 du/acre).

ANALYSIS

The petition is a request to rezone approximately 79.58 acres of land from RS-9 to MH-S (Manufactured Housing Development - Planned Residential Development).

The effect of the rezoning would be to permit a housing development with either Class A (double-wide) or Class B (Single-wide) Manufactured Homes. The developer has volunteered additional conditions on the Class B homes which will hold them to a higher standard than the UDO requirements. Since most of the homes along Nicholson Road just south of this site are Class A homes, the staff recommends that homes on the lots on the southern periphery of the site be restricted to Class A homes.

The site lies within the boundaries of the Salem Lake (WS-III) Reservoir Protection Area. This development is proposed as a Planned Residential Development (PRD) as well as a Manufactured Housing Development in order to take advantage of the clustering provision in the PRD regulations. Approximately two-thirds of the site would be left as permanent open space. The flexibility in PRD standards has allowed the petitioner to group buildable lots and comply with the watershed requirements.

As mentioned above, the site lies within the boundaries of the Salem Lake (WS-III) Reservoir Protection Area. Under low density option, which is proposed, the development must meet an average density of one dwelling unit per 40,000 square feet or 12 percent built upon area. The proposed site plan meets these requirements. The Dunagaw Branch floodplain touches the
northeast corner of the site and to comply with Federal/State requirements for wetland/stream protection, a watershed stream buffer requirement is 100 feet on each side of perennial streams is required. No development is proposed closer than 250 feet from the floodplain.

Existing Vision 2005 policies encourage the use of a range of residential housing types in meeting the area’s projected housing needs. Manufactured housing is an important part of the State’s housing market. The Salem Lake Area Plan recommends a portion of the site as a residential opportunity area and a portion as rural and low density (up to 1 du/acre). The proposed plan is consistent with these recommendations.

The use of the property is severely restricted by the watershed regulations. Nonetheless, development of the property at the proposed density is currently permitted for single family homes and modular homes. If the property were developed for single family homes, the amount of traffic would be approximately double what is proposed in the subject petition. The need for a variety of housing types, combined with the unique constraints on the property and the fact the proposed development would generate less traffic than what is permitted under the current zoning, leads staff to a recommendation of approval.

**FINDINGS**

1. The petition is a request to rezone approximately 79.58 acres of land from RS-9 to MH-S (Manufactured Housing Development - Planned Residential Development).

2. The developer has volunteered additional conditions on the Class B homes which will hold them to a higher standard than the UDO requirements.

3. The site lies within the boundaries of the Salem Lake (WS-III) Reservoir Protection Area. The proposed site plan meets all watershed requirements.

4. The proposed development is consistent with Vision 2005 and the Salem Lake Area Plan.

5. If the property were developed for single family homes, the amount of traffic would be approximately double what is proposed in the subject petition.

6. The need for a variety of housing types, combined with the unique constraints on the property and the fact the proposed development would generate less traffic than what is permitted under the current zoning, leads staff to a recommendation of approval.

**STAFF RECOMMENDATION**

Zoning: **APPROVAL.**
Staff certifies that the site plan meets all code requirements, and recommends the following conditions:

C PRIOR TO THE ISSUANCE OF GRADING PERMITS
- Driveway permits for Nicholson Road shall be issued by the Public Works Department of the City of Winston-Salem.
- This property lies within the Reservoir Protection Area of the Salem Lake WS-III State Regulated Watershed. Developer shall obtain a Watershed permit from the Erosion Control Officer.

C PRIOR TO THE ISSUANCE OF BUILDING PERMITS
- Developer shall record final plats of this development. The plat shall show all access and utility easements and lots within the development.
- On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division prior to the issuance of building permits.

C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
- All required fire hydrants shall be installed in accordance with the City Fire Department.

C OTHER REQUIREMENTS
- Signs shall be limited to monument types with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.
- All manufactured housing shall be limited to either Class A or Class B:
- Only Class A manufactured home shall be allowed on lots contiguous to the southern property line.
- Any Class B manufactured homes shall:
  1. Be a minimum of fourteen (14) feet wide,
  2. Have exterior siding, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction, consisting of one or more of the following:
     1. Vinyl or aluminum lap siding whose reflectivity does not exceed that of flat white paint;
     2. Cedar or other wood siding;
     3. Wood grain, weather resistant press board siding;
     4. Brick or stone siding;
  3. Have a gable roof having a pitch with a minimum vertical rise of three and one-half (3.5) feet for each twelve (12) feet of horizontal run; and,
  4. Have a roof finished with roofing material with a fire rating of Class C or better and that is commonly used in standard residential construction.
- All lots shall be a minimum of 9,000 square feet in size.
- All properties shall utilize public water and sewer.
- No trash compactors or dumpsters shall be permitted.
[For information purposes only: The draft Legacy plan indicates this site is located in the Suburban Neighborhoods planning area of the Growth Management Plan. The affordable housing section of the Building Better Neighborhoods chapter has the following objective: Provide a variety of quality housing types for all income levels and foster a climate that is hospitable to affordable housing development. The chapter makes the point that factory-built housing is an important component of affordable housing in our community. Recommendations on manufactured housing include Create well designed manufactured housing, rental housing, and public housing developments and educate citizens about the positive aspects of these housing types and Consider revision to the UDO that would allow manufactured homes by right in additional residential districts.]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Steve Johnson moved approval of the request for withdrawal of the rezoning petition and site plan.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Bost, Johnson, King, Powell, Rousseau, Schroeder, Williams

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP
Director of Planning