

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket	W-3507		
Staff	Gary Roberts, Jr.		
Petitioner(s)	George C. Petree, Jr.		
Owner(s)	Same		
Subject Property	PIN 6816-18-8292		
Address	331 Petree Road		
Type of Request	General Use rezoning from RS9 to RS7		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential, Single Family – 9,000 square foot minimum lot size) to RS7 (Residential, Single Family – 7,000 square foot minimum lot size).</p> <p>NOTE: General, Special Use Limited, and Special Use district zoning were discussed with the petitioner(s), who decided to pursue the rezoning as presented. With a General Use request, all uses in the district must be considered.</p>		
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.		
Zoning District Purpose Statement	The RS7 District is primarily intended to accommodate high density single family detached dwellings in urban areas. This district is intended for application in GMAs 2 and 3, and may be suitable for GMA 4 and Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available.		
Rezoning Consideration from Section 3.2.15 A 13	<p>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is located within GMA 3 (Suburban Neighborhoods) and has access to public water and sewer service.</p>		
GENERAL SITE INFORMATION			
Location	North side of Petree Road, west of Ridgemere Lane		
Jurisdiction	Winston-Salem		
Ward(s)	Northwest		
Site Acreage	± .36 acre		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS9	Single-family homes
	East	RS9	Single-family homes
	South	IP	Mt. Tabor High School
	West	RS9	Single-family homes
Rezoning Consideration	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?		

from Section 3.2.15 A 13	The uses permitted in the proposed RS7 district are the same as the uses permitted in the existing RS9 district. These uses are compatible with the uses permitted on the adjacent properties.					
Physical Characteristics	The site is heavily wooded and has a moderate slope downward from Petree Road toward the northwest.					
Proximity to Water and Sewer	Public water and sewer can be accessed from Petree Road.					
Stormwater/ Drainage	No known issues.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The subject property is undeveloped and does not meet the RS9 minimum lot width of 65 feet. The site has no other apparent development constraints and has access to public utilities.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3229	RM5-S Site Plan Amendment	Approved 8/4/2014	1,000 feet east	1.56	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Petree Road	Collector Street	47 feet	N/A	N/A		
Proposed Access Point(s)	Because this is a General Use request with no site plan or access conditions, the exact location of future access points is unknown.					
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS9</u> .36 acre / 9,000 sf = 1 home x 9.57 (single-family trip rate) = 10 trips per day <u>Proposed Zoning: RS7</u> .36 acre / 7,000 sf = 2 homes x 9.57 (single-family trip rate) = 19 trips per day					
Sidewalks	Sidewalks are located on the opposite side of Petree Road.					
Transit	WSTA Route 109 serves the intersection of Polo Road and Petree Road, approximately one-half mile southeast.					
Analysis of Site Access and Transportation Information	The site has adequate frontage along Petree Road, a collector street. Staff has no concerns with the request from a transportation perspective.					

CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 3 - Suburban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Make efficient use of Forsyth County’s limited land capacity. • Promote compatible infill development that fits within the context of its surroundings. • Encourage a mixture of residential densities and housing types through land use recommendations.
Relevant Area Plan(s)	<i>West Suburban Area Plan Update</i> (2018)
Area Plan Recommendations	<ul style="list-style-type: none"> • The proposed land use map recommends single-family residential use of this site.
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Rezoning Consideration from Section 3.2.15 A 13	Have changing conditions substantially affected the area in the petition?
	No
	Is the requested action in conformance with Legacy 2030?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The request is to rezone an undeveloped lot from RS9 to RS7, as the property does not comply with the minimum lot width requirement of the RS9 district. The lot was created without minor subdivision approval, so no building permits may be issued. However, the lot does meet the minimum lot width requirement of the proposed RS7 district.</p> <p>The <i>West Suburban Area Plan Update</i> recommends single-family residential development for this area, at a density up to eight dwelling units per acre. This site is within the Suburban Neighborhoods Growth Management Area, where <i>Legacy 2030</i> recommends compatible infill development that fits within the context of its surroundings. The site has access to public utilities and has adequate frontage along a collector street.</p> <p>Staff acknowledges there is no other RS7-zoned property in the vicinity. However, considering the factors noted above, staff sees this request as providing a reasonable infill opportunity but cautions against considering it to be precedent setting.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request is consistent with the adopted area plan and <i>Legacy 2030</i> in that it would permit residential infill development within the Suburban Neighborhoods Growth Management Area.	The subject property was created without minor subdivision approval.
The permitted uses in the existing RS9 district and proposed RS7 district are identical.	
The site has frontage on a collector street and has access to public water and sewer.	

STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; the City-County Planning Board makes final recommendations, and final action is taken by the appropriate Elected Body, which may approve, deny, continue or request modification to any request. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3507
DECEMBER 9, 2021**

Desmond Corley presented the staff report.

Melynda asked Desmond to explain what was meant in the staff report by this case coming about due to the Petitioner not going through the subdivision process, and how we could prevent the occurrence of setting a precedent. Desmond stated that publicly acknowledging that we would expect this to be a one-time exception rather than a rule, having that memorialized in the minutes for this meeting, and having that memorialized as staff policy would be the best ways to prevent that from happening.

George asked whether there has been any neighborhood feedback on this case, and Desmond was not aware of any. Gary Roberts stated that he had received several phone calls from citizens curious about the rezoning but sensed no opposition from them.

George Petree, 4421 Bashavia Drive, Pfafftown, NC 27040

- We did receive one email from a resident in Ridgemere, basically wanting to know what our intentions were, why we were petitioning for this rezoning. My response was, similar to what the other gentleman said, under RS9 our small lot is unbuildable, and we found if we could get it rezoned to RS7, that someone could actually build a home there. We never heard anything from any other resident.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Walter Farabee

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning amendment.

SECOND: Walter Farabee

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak,
Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

Chris Murphy, AICP
Acting Director of Planning and Development Services