

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket	W-3447		
Staff	Gary Roberts, Jr., AICP		
Petitioner(s)	Arbor Acres United Methodist Retirement Community, Inc.		
Owner(s)	Same		
Subject Property	Portion of PIN 6826-64-1144		
Address	1240 Arbor Road		
Type of Request	Special Use rezoning from RM8-S to C-S		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RM8-S (Residential, Multifamily – 8 units per acre maximum density – Special Use - Life Care Community and Nursing Care Institution) to C-S (Campus – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Life Care Community and Nursing Care Institution 		
Continuance History	This request was automatically continued from the July 9, 2020 Planning Board meeting to the August 13 meeting.		
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.		
Zoning District Purpose Statement	The C District is intended to accommodate medium to large-sized public, semi-public, and institutional uses which have a major land use impact or traffic generation potential upon surrounding uses. The district is intended to accommodate larger, more intensive public and institutional uses which have extensive service areas and are centrally located.		
Rezoning Consideration from Section 3.2.15 A 13	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes. The partially developed site exists within a large institutional campus adjacent to other property in a C district.		
GENERAL SITE INFORMATION			
Location	South of Arbor Road, across from Arbor Place Court		
Jurisdiction	Winston-Salem		
Ward(s)	Northwest		
Site Acreage	± 25.45 acres		
Current Land Use	The partially developed site is within the Arbor Acres United Methodist Retirement Community.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RM8-S	Arbor Acres United Methodist Retirement Community
	East	RM8-S	
	South	C	Crossnore School & Children’s Home

	West	RM8-S	Arbor Acres United Methodist Retirement Community			
Rezoning Consideration from Section 3.2.15 A 13	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	Yes, the proposed uses are permitted in the current RM8-S zoning district and are compatible with the uses permitted on the adjacent property with C zoning.					
Physical Characteristics	The partially developed site includes some challenging topography and a stream. Peters Creek abuts the southeastern property boundary.					
Proximity to Water and Sewer	Multiple public water and sewer lines exist within the overall Arbor Acres development.					
Stormwater/ Drainage	A new stormwater management facility is proposed in the south-central portion of the site. A stormwater study will be required.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The majority of the site is currently developed with a large-scale retirement community. The site is constrained by an existing stream and some steep topography.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3041	RS9, NO-S, RM8, and RM8-S to RM8-S (Two Phase)	Approved 10/5/2009	Included current site	81.48	Approval	Approval
W-2461	RM8-S Site Plan Amendment	Approved 5/7/2001	Included current site	74.27	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name		Classification	Average Daily Trip Count	Capacity at Level of Service D		
Bayberry Circle		Private Street	N/A	N/A		
Fountain Hill Road		Private Street	N/A	N/A		
Aldersgate Drive		Private Street	N/A	N/A		
Susanna Wesley Drive		Private Street	N/A	N/A		
Arbor Road		Collector Street	2,800	11,000		
Proposed Access Point(s)	The site will be accessed from the above noted private streets, which are internal to the Arbor Acres development. Indirect public street access would be from Arbor Road.					

Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RM8-S</u> 141 units x 2.5 (retirement community trip rate) = 352.5 trips per day</p> <p><u>Proposed Zoning: C-S</u> 210 units x 2.5 (retirement community trip rate) = 525 trips per day</p>	
Sidewalks	Sidewalks are located along the internal streets.	
Transit	WSTA Route 109 runs along Reynolda Road, west of the subject property.	
Transportation Impact Analysis (TIA)	A TIA is not required.	
Analysis of Site Access and Transportation Information	<p>A network of existing private streets serves the site internal to the overall Arbor Acres retirement community. External public street access will continue to be from the two locations on Arbor Road. Arbor Road is classified as a Collector Street, which has the capacity to accommodate approximately 11,000 vehicles per day. Arbor Road currently carries fewer than 2,800 vehicles per day. Based on the existing traffic and available capacity, Arbor Road is expected to operate at a Level of Service B (LOS B) or better throughout the day. Based on the proposed land use, the additional site traffic should not have a negative impact on the existing road network.</p>	
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS		
Building Square Footage	Square Footage	Placement on Site
	52,100	Southeastern portion of the site
Units (by type) and Density	210 (total) existing and proposed units on 25.45 acres = 8.25 units per acre	
Parking	Required	Proposed
	52 spaces	60 spaces
Building Height	Maximum	Proposed
	75 feet	70 feet
Impervious Coverage	Maximum	Proposed
	N/A	41.46 percent
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 4.8.2: Campus District • Section 5.2.47: Life Care Community (use-specific standards) • Section 5.2.62: Nursing Care Institution (use-specific standards) 	
Complies with Section 3.2.11	(A) Legacy 2030 policies:	Yes
	(B) Environmental Ord.	N/A
	(C) Subdivision Regulations	N/A

Analysis of Site Plan Compliance with UDO Requirements	The proposed improvements to the site include three multistory buildings ranging in height from 55 to 75 feet. They will accommodate 69 independent living units in the southwestern portion of the site. A new stormwater management facility is proposed in the south-central area, with the tree save area located in the southeastern portion.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 2 – Urban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Promote compatible infill development that fits with the context of its surroundings. • Promote quality design so that infill does not negatively impact surrounding development. • Encourage the production of a range of housing types in neighborhoods for the elderly and people with disabilities, including independent living, assisted living, and skilled nursing care facilities.
Relevant Area Plan(s)	<i>Northwest Winston-Salem Area Plan Update (2017)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The Area Plan identifies the subject property as an existing Institutional Land Use and the Proposed Land Use Map shows a continuation of that Institutional Use. • Existing institutional uses should be permitted to grow and expand in a manner that is compatible with surrounding neighborhoods. • New construction or additions to institutional uses can have a negative effect on adjacent single-family homes because institutional uses typically have a larger building footprint and massing.
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

<p>Analysis of Conformity to Plans and Planning Issues</p>	<p>The request would facilitate redevelopment of a significant portion of the Arbor Acres retirement community. The petitioner is requesting rezoning, rather than a Site Plan Amendment, because the RM8 district has a maximum building height of 45 feet. The request includes three buildings that exceed this height limit.</p> <p>While the area plan recommends institutional uses for the site, both <i>Legacy</i> and the <i>Northwest Winston-Salem Area Plan</i> recommend that, when appropriate, neighborhood institutions should expand in a manner that is compatible with the surrounding area.</p> <p>In an effort to demonstrate the visual impact the proposed buildings may have on nearby properties, the petitioner has submitted perspective renderings looking into the site from multiple off-site locations (see attached). Staff believes that, although these buildings will be visible from some of the neighboring properties, the impact will be relatively minimal. The new development is proposed in one of the lowest areas of the Arbor Acres community. The petitioner has also agreed to install a row of large variety trees along a portion of the southern property boundary. Over time, these trees should further mitigate any visual changes to the site.</p>
<p>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</p>	
<p>Positive Aspects of Proposal</p>	<p>Negative Aspects of Proposal</p>
<p>The request will allow for the expansion of an existing retirement community.</p>	<p>The request will have some visual and traffic impact on the surrounding area.</p>
<p>The request is consistent with the C district purpose statement.</p>	
<p>The request is consistent with <i>Legacy</i> and the institutional land use recommendation in the <i>Northwest Winston-Salem Area Plan</i>.</p>	
<p>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</p>	
<p>The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:</p> <ul style="list-style-type: none"> • <u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u> <ul style="list-style-type: none"> a. Developer shall have a stormwater management study submitted for review by the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment. • <u>PRIOR TO THE ISSUANCE OF BUILDING PERMITS:</u> <ul style="list-style-type: none"> a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff. 	

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
 - b. Developer shall install the Large Variety trees along a portion of the southern property boundary as shown on the site plan.

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-3447

AUGUST 13, 2020

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Steve Causey, Allied Design, 4720 Kester Mill Road, Winston-Salem, NC 27103

- We have been working with Arbor Acres to create this core, central district of the campus. Redevelopment in this area allows us to maintain a 500-foot buffer around the perimeter, maintain the existing development patterns in the area, and maintain convenient access for the residents. It also allows us to minimize additional impervious coverage around the site as well.
- We reached out to Planning staff to find an appropriate zoning district that could accommodate the taller buildings. Based on the area plans and *Legacy* recommendations, we felt like the Campus district was appropriate. Visibility from surrounding properties was a concern. We were able to site the buildings at the low point of the property.
- We had a neighborhood meeting on June 25 at Pilgrim Court. No one attended that meeting. Shortly after that meeting, Arbor Acres did receive some communication from the neighbors in the Reynolda Park area. A lot of concerns were regarding traffic. Ramey Kemp & Associates assisted us with a traffic study. We set up a subsequent Zoom meeting with neighbors in the Reynolda Park area.
- On July 21, we held a meeting where the neighbors elaborated their concerns about the potential of increased traffic on Kent Road and Arbor Road. They did advise us of some previous efforts for traffic calming strategies with the City. We then began to instruct suppliers and vendors not to use Kent Road and Arbor Road for access and to focus access to the site from Pilgrim Court.
- We agreed to try to facilitate a meeting with the City, which took place on August 6. We also met with Jeff Fansler. We shared the results of our traffic study. Our counts were the same. We don't think there is a volume issue, but we do think there is a speed issue. It supported the concerns of the neighbors. Conversations with Jeff Fansler were in an effort to try to support any traffic calming measures that could be implemented.

George Bryan asked Mr. Causey what his plans were with regard to stormwater, particularly around the issue of quantity. Mr. Causey stated that quantity would be addressed in accordance

with the City's ordinance. George asked Mr. Causey if he had any thoughts of going beyond the 24-year plan. Mr. Causey appreciated the request and stated that it was a common request.

AGAINST:

John Wigodsky, 1140 East Kent Road, Winston-Salem, NC 27103

- I have lived at Kent Road for the past 20 years. My neighborhood is Reynolda Park, which is adjacent to the western side of Arbor Acres, a neighborhood that's bound by Arbor Road, East Kent Road and Reynolda Road. It is a historic neighborhood that was created in the 1930s when Katherine Reynolds subdivided 65 acres at the southern end of Reynolds Estate. She wanted to have an area with a park-like feel, and lots and roads laid out accordingly. The Planning Board's *Northwest Area Plan* cites our neighborhood as a historic district, and cites a number of houses in the neighborhood being recognized by the State Historic Preservation Office.
- Today, East Kent and Arbor Roads are plagued with high traffic volume traveling at high rates of speed. The residents of the neighborhood often have trouble entering and exiting their property, and not only feel unsafe, but are unsafe walking along our neighborhood streets. Traffic studies done in the neighborhood show approximately 2,000 cars per day traveling on neighborhood streets which were never designed to accommodate that volume of traffic. The speed limit in the neighborhood is 25 miles per hour, speed check shows that the average speed of traffic is 7 to 8 miles per hour over the speed limit, and some cars are clocked doing over twice the speed limit at 50 miles an hour. Enforcement by the police is sporadic at best, but when it is done, officers cannot write tickets fast enough. Just last week, the neighborhood petitioned the City to develop a traffic calming proposal, including speed bumps, to address the speed issue, and we are awaiting a response by Mr. Fansler.
- Two factors causing traffic volume are: Cut-through road for people traveling to Coliseum Drive and Reynolda Road or University Parkway. The second source is people going to and from Arbor Acres: its residents, its vendors, its visitors, and its staff. As Arbor Acres has grown, so has the traffic. This was recently highlighted when Arbor Acres was on COVID lockdown and traffic volume in the neighborhood had dropped significantly. The growth of Arbor Acres has been continuous for the past 10 years, going from 409 residents and 251 employees in 2010 to 500 residents and 339 employees in 2020, a growth rate of 27 percent.
- This brings me to the reason for opposing the rezoning request. Without an alternative traffic plan, the expansion of Arbor Acres will further add to our neighborhood traffic issues. It will not only be the 100 new residents traveling on our streets, it will be additional visitors, vendors and staff. We strongly disagree with the planning staff's assessment that the additional traffic will not be an issue on Arbor or East Kent Roads. Traffic is already an issue, and the expansion will make it worse. While Arbor Road was widened in front of Arbor Acres, the road quickly narrows as it approaches East Kent Road. There is no way these roads can accommodate the 11,000 vehicles that will quadruple the current volume at its capacity. The projected incremental trips with expansion do not recognize incremental visitors, staff and vendors. Thus, the impact of the expansion to the road infrastructure in the Planning staff report is inaccurate and in need of further study.

- In addition, it is not possible to look at each expansion at Arbor Acres in isolation and to say it will not have an impact. The totality of Arbor Acres' expansion, over time, must be reviewed and the impact on our historic neighborhood evaluated.
- Residents of the neighborhood have met with representatives of Arbor Acres to discuss our traffic issues. Arbor Acres has said that they would endorse the installation of speed bumps in the neighborhood, they have instructed vendors to use Pilgrim Court versus Arbor Road when entering or exiting Arbor Acres. We believe that a more comprehensive plan is necessary to channel all traffic from Arbor Acres onto Pilgrim Court, where there is easy access to Coliseum Drive and all points east and west.
- Working with the City, we believe that a viable solution to channeling traffic onto Pilgrim Court can be developed, and any rezoning approval should be contingent on the traffic plan being completed. Long term, we would like to see Arbor Acres explore alternative entrances that would not involve Arbor Road, since we feel sure that there will be expansion plans beyond what is under consideration. Today, we ask that approval of the rezoning request be delayed pending further study by the Planning staff of the full impact of Arbor Acres expansion on our historic Reynolda Park and a presentation by Arbor Acres, in conjunction with the City, on how to channel traffic to Pilgrim Court versus Arbor Road.

Keya Hosseinzadeh, 1050 East Kent Road, Winston-Salem, NC 27104

- My family moved here from Pittsburgh in 2015, where we lived in a historic district, and we were attracted to Reynolda Park for some of the same reasons. We were reassured that Winston-Salem urban planning policies for future growth would preserve quality of life for the residents and also maintain the same beauty as this neighborhood.
- I have two young girls and it's currently impossible to walk safely or bicycle this historic district, especially on East Kent Road, when cars are speeding in excess of 40 miles an hour in a 25-mile-per-hour zone, in addition to the high traffic volume. One of my girls was almost struck by a truck speeding along East Kent Road, and just two weeks ago, I had to jump into a bush while walking on West Kent Road when a service vehicle veered off the road traveling at high speed. We can't bicycle to Reynolda Road, which has existing bicycle paths, and it's a stone's throw to our home.
- Speed bumps are a necessary solution to decrease the average speed, and it may decrease the overall traffic volume, although there is no evidence at this time that traffic volume will decrease with speed bumps alone.
- With respect to the Board, I would like to think any urban planning would bring together institutions, commercial developers and the residents, and I don't believe that's true in this historic neighborhood.

Patricia Brown, 1110 Arbor Road, Winston-Salem, NC 27104

- I have been a resident of Winston-Salem for 32 years. We moved here specifically for this historic neighborhood and its access to the Reynolda property and garden. We have learned over time that the traffic problem has changed the neighborhood in such a way that the diversity in age of this neighborhood has changed.

There are very few children, and it's very clear why there are very few children. Their parents are afraid to let them out beyond the driveway. That drives property values down and diminishes the value of the neighborhood.

- At our July Zoom meeting with Arbor Acres, when I asked how tall the new buildings would be, the answer was "Oh, we're not sure, actually. Let's see, I think about 50 feet." This meeting is the first I have heard that there will be buildings up to 75 feet. I cannot, in good conscience, allow that kind of future development, beginning with this particular classification, to happen in a very specialized part of town that has retained its character because of future-oriented thinking.

J. D. Wilson, 1069 East Kent Road, Winston-Salem, NC 27104

- We live between two houses that are on the national register, with Arbor Acres as our backyard neighbor. We are proud to have Arbor Acres as our neighbor. Our property is the southern perimeter of the original Reynolda Estate.
- All of us need to slow down and have more time to learn these rezoning plans, the impact now and beyond, and consider potential solutions together. We need time to find ways for meaningful collaboration, which is in our City's DNA.
- The staff may have followed the letter of the law in this process, and if so, the process is flawed, as our neighborhood was caught totally off guard by this major expansion for two reasons: (1) the required signs were posted at Arbor Acres, not in our neighborhood, and (2) the letter was delivered during COVID and when people were away for the July 4 holiday.
- The staff report is loaded with metrics, traffic counts, traffic speeds, generic load standard, but minimal details about the historic neighborhood we're blessed to live in, or protection of its environment especially mature trees and vegetation or its character of place.
- Two days ago an elected official sent me a copy of the *Northwest Winston-Salem Area Plan* that is loaded with information about protection of historic treasures, preserving the character and quality of such neighborhoods, and related environmental concerns. The staff report did not really touch on any of these topics. Perhaps because metrics are easier to cite, advocate or defend. This is a significant failing of this process and/or the report. References to the area plan in the report simply indicate that the petition conforms. We respectfully disagree. Regarding economic development (on page 51), it states: The *Legacy* goal is to attract environmentally sensitive new businesses and provide a high quality of life. We need to be mindful of what message the action on this matter sends.
- We would not allow this level of traffic and speed through Historic Old Salem. In fact, we rerouted Main Street to avoid that. We should have the same concern for Winston's Historic Reynolda Park.
- Mrs. Reynolds created Reynolda Park with the talented noted landscape architect Thomas Sears. It's one of the City's top historic treasures. If she were here today, her voice would be heard asking you to protect the historic treasure to which she gave birth. As residents of her visionary residential park, we are honored to be here today to speak on her behalf in a way that you will hear.

We ask that you delay consideration to give all of us time to work together through this for a compatible updated traffic management plan that works for us and the Winston-Salem we all love.

WORK SESSION

George asked whether the traffic study was done during the COVID period or outside of the COVID period. Mr. Wigodsky stated that it was done in July, during the COVID period. There was a prior study done four years ago where the traffic numbers were significantly higher. The drop in traffic is approximately 30 percent during the COVID period. On East Kent Road, southbound, the traffic count was 1,419 cars in 2016, and it was 1,121 cars in the most recent study.

Melynda Dunigan described this as a very sensitively designed proposal and complimented the petitioner on such, especially due to the consolidation of the proposal in the center of the development, leaving the buffer of the RM-8 property. She stated that she doesn't see this development significantly raising traffic volume since traffic will be dispersed throughout the whole network, and she sees re-designing the road as the best solution. Melynda concluded that she did not see this proposal being a significant contributor to the problem and approved of it.

Brenda Smith stated that a traffic management plan would be beyond the scope of the Planning Board, that Arbor Acres and the community have some of the same concerns and haven't had the potential to work with DOT to try to apply some traffic calming measures. Brenda stated that those things could help to improve this area, and maybe discussions will help further that along.

George recommended that City officials sit down with citizens in the neighborhood to come up with a good plan for this area. George stated that while Planning Board and DOT's work go hand in hand, the Board does not hold any control or influence over DOT.

Jack Steelman stated that, as a native of Winston-Salem, there are a number of things that make him incredibly proud to be from here, one being Reynolda Park, and that as long as everyone shared the same common goals, traffic calming and traffic management could be achieved.

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

SECOND: Brenda Smith

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Brenda Smith

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe,
Chris Leak, Brenda Smith

AGAINST: Jack Steelman

EXCUSED: None

Aaron King

Director of Planning and Development Services