

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>			
<b>Docket</b>	W-3531		
<b>Staff</b>	<a href="#">Marc Allred</a>		
<b>Petitioner(s)</b>	Eagle Properties		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	PIN 6833-36-2083		
<b>Address</b>	The vacant parcel does not have an assigned address.		
<b>Type of Request</b>	Special Use rezoning		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> LB (Limited Business) <b>to</b> RM8-S (Residential, Multifamily – 8 units per acre). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Residential Building, Townhouse; Residential Building, Multifamily; Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Duplex; and Cottage Court</li> </ul>		
<b>Neighborhood Contact/Meeting</b>	The petitioner’s neighborhood outreach summary is attached.		
<b>Zoning District Purpose Statement</b>	The RM8 District is primarily intended to accommodate duplexes, twin homes, townhouses, multifamily, and other low intensity multifamily uses at a maximum overall density of eight (8) units per acre. This district is appropriate for Growth Management Areas 2 and 3 and may be suitable for Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services are available.		
<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<b>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes. This site is in GMA 3 and is in a suitable location for all proposed residential uses. The request proposes a density less than 8 units per acre and has access to public utilities.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	South side of Arnold Avenue, between South Main Street and US 52		
<b>Jurisdiction</b>	Winston-Salem		
<b>Site Acreage</b>	± 2.8		
<b>Current Land Use</b>	The site is currently undeveloped.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	LB & RS9	Vacant lot and single-family homes
	East	RS9	US 52
	West	LB and RS9	Single-family homes
	South	RS9	Undeveloped

<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<b>Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>					
	The proposed residential uses are compatible with the requested zoning district and are in conformance with <i>Legacy</i> , which encourages higher development densities and mixed-use development within GMA 3.					
<b>Physical Characteristics</b>	The undeveloped site drops off approximately 10 feet between Arnold Avenue and the northern property boundary. From the northern boundary line, the property slopes toward the south.					
<b>Proximity to Water and Sewer</b>	The site has access to public water from Arnold Avenue. The developer proposes to manage sewer by installing a force main to connect to an existing sewer line in the right-of-way for South Main Street.					
<b>Stormwater/ Drainage</b>	Stormwater runoff will be managed by a stormwater control measure in the southern portion of the site.					
<b>Watershed and Overlay Districts</b>	This site is not located in a water supply watershed.					
<b>Analysis of General Site Information</b>	The site has a significant drop-off from Arnold Avenue and a small area along South Main Street. Most of the property is behind other properties fronting on South Main Street that are zoned for limited business uses but are used as single-family homes.					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3477	LB to GB-L	Withdrawn	North	0.53	N/A	N/A
W-2673	LB-S to RM12	Approved 5/3/2004	West	13.07	Approval	Approval
W-2593	LB to HB-S	Approved 2/3/2003	North	2.48	Denial	Denial
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
South Main Street	Minor Thoroughfare	± 80 feet	6,300	15,800		
Arnold Avenue	Collector Street	± 267 feet	N/A	N/A		
<b>Proposed Access Point(s)</b>	The proposed site plan includes one full access point on Arnold Avenue.					
<b>Planned Road Improvements</b>	No road improvements are required.					
<b>Trip Generation - Existing/Proposed</b>	<u>Existing Zoning: LB</u> The site is currently undeveloped; therefore, no trips are generated.					
	<u>Proposed Zoning: RM8-S</u> 18 units x 5.81 (residential townhouse trip rate) = 104.58 trips per day					
<b>Sidewalks</b>	Internal sidewalks are proposed along both sides of Oak Village Drive, and public sidewalks are proposed on the south side of Arnold Avenue.					
<b>Transit</b>	Public transit is not available in this area.					
<b>Connectivity</b>	The request does not propose any opportunities for connectivity to adjacent properties.					

<b>Transportation Impact Analysis (TIA)</b>	A TIA is not required.		
<b>Analysis of Site Access and Transportation Information</b>	The request proposes one full access from Arnold Avenue and includes sidewalks on both sides of Oak Village Drive and on the south side of Arnold Avenue. South Main Street has ample capacity to handle the expected additional trips, and the access on Arnold Avenue will not drastically increase traffic on that street.		
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>			
<b>Building Square Footage</b>	<b>Square Footage</b>		<b>Placement on Site</b>
	1,800 (three six-unit buildings)		Various locations
<b>Units (by type) and Density</b>	18 units / 2.8 acres = 6.4 units per acre		
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>	<b>Layout</b>
	36 spaces	36 spaces	90-degree head-in
<b>Building Height</b>	<b>Maximum</b>		<b>Proposed</b>
	45 feet		31 feet (two stories)
<b>Impervious Coverage</b>	<b>Maximum</b>		<b>Proposed</b>
	70 percent		32.5 percent
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>• Section 4.5.12: RM-8 Residential Multifamily District</li> <li>• Section 5.2.71: Residential Building, Multifamily; Townhouse; or Twin Home (use-specific standards)</li> </ul>		
<b>Complies with Section 3.2.11</b>	<b>(A) Legacy 2030 policies:</b>		Yes
	<b>(B) Environmental Ordinance</b>		N/A
	<b>(C) Subdivision Regulations</b>		Yes
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	The proposed site plan includes 18 attached dwellings fronting on one internal private street (Oak Village Drive). Sidewalks are proposed on both sides of the street, along with access to a common recreation area. The proposed plan shows the required 30-foot thoroughfare overlay buffer along the US 52 frontage, and additional Type II bufferyards are shown along the southern and western boundaries of the property.		
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>			
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 3 – Suburban Neighborhoods		
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• Encourage higher development densities and mixed-use development within the serviceable land area.</li> <li>• Facilitate land use patterns that offer a variety of housing choices.</li> <li>• Promote land use compatibility through good design and create healthy mix of land uses in proximity to one another. Move away from the separating and buffering of some land uses and toward transitioning and</li> </ul>		

	blending these uses.
<b>Relevant Area Plan(s)</b>	<i>South Suburban Area Plan Update (2017)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>The area plan recommends the subject property for office/low-intensity commercial use.</li> </ul>
<b>Site Located Along Growth Corridor?</b>	This site is not located along a growth corridor.
<b>Site Located within Activity Center?</b>	This site is not located within an activity center.
<b>Comprehensive Transportation Plan Information</b>	The <i>Comprehensive Transportation Plan</i> recommends a facility upgrade for South Main Street that would create a two-lane undivided road with paved shoulders and sidewalks.
<b>Addressing</b>	Addresses will be assigned prior to the issuance of building permits.
<b>Rezoning Consideration from Section 3.2.19 A 16</b>	<b>Have changing conditions substantially affected the area in the petition?</b>
	Yes. Demand for office space has shifted in the wake of the global pandemic, which should allow for some reevaluation to areas that were proposed as offices before the pandemic.
	<b>Is the requested action in conformance with <i>Legacy 2030</i>?</b>
	Yes
<b>Analysis of Conformity to Plans and Planning Issues</b>	The request is to rezone a 2.8-acre tract from LB to RM8-S to accommodate 18 townhome units. The proposed density would be 6.4 dwelling units per acre.
	<p>The proposed site plan depicts three, six-townhouse buildings along with a common recreation area. The petitioner has volunteered to extend the required Type II bufferyard around PIN 6833-36-1113 despite it being zoned LB. While most of the existing tree stands are proposed to be removed, the proposed plan shows a required 20-foot Thoroughfare Overlay buffer along US 52, which would provide additional viewshed screening from the highway.</p> <p>The <i>South Suburban Area Plan Update</i> recommends office/low-intensity commercial use of the site. However, the area has been zoned for commercial use since the early 1970s with little or no change from the areas that are currently being used as single-family residences. Given the general lack of demand for office space and this site’s lack of frontage along South Main Street, staff sees the request as a reasonable way to accommodate different housing types at a similar density to the underlying zoning of some of the surrounding properties. At the same time, development of the proposed townhomes could encourage additional commercial activity in the district that was created decades ago.</p>

<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>	
<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
<p>The request will increase the variety of housing types in the area.</p>	<p>The request is not in keeping with the land use recommendation(s) of the <i>South Suburban Area Plan Update</i>.</p>
<p>The proposed development would be in line with the recommended residential density of the surrounding area.</p>	
<p>The request could encourage more commercial activity for the Limited Business district surrounding the intersection of South Main Street and Konnoak Drive.</p>	
<b>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</b>	
<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"> <li>• <b><u>PRIOR TO ISSUANCE OF GRADING PERMITS:</u></b> <ol style="list-style-type: none"> <li>a. The developer shall submit a stormwater management study 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 management device into any buffer areas or existing vegetated areas designated to remain, or in close proximity to adjacent property with residential zoning, shall require a Staff Change approval at minimum and may require a Site Plan Amendment.</li> <li>b. The developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of the driveway permits. Additional improvements include: <ul style="list-style-type: none"> <li>• Payment of a fee in lieu of installing sidewalk along the South Main Street frontage;</li> <li>• Dedication of right-of-way 45 feet from the centerline of Arnold Avenue; and</li> <li>• Installation of sidewalk along the Arnold Avenue frontage.</li> </ul> </li> </ol> </li> <li>• <b><u>PRIOR TO ISSUANCE OF BUILDING PERMITS:</u></b> <ol style="list-style-type: none"> <li>a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.</li> </ol> </li> <li>• <b><u>PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:</u></b> <ol style="list-style-type: none"> <li>a. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.</li> <li>b. Developer shall complete all requirements of the driveway permit(s).</li> </ol> </li> <li>• <b><u>OTHER REQUIREMENTS:</u></b> <ol style="list-style-type: none"> <li>a. As shown on the proposed site plan, the developer shall install a 20-foot Type II bufferyard along the shared boundary with PIN 6833-36-1113 except where the force main easement exists.</li> </ol> </li> </ul>	

**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.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3531  
JUNE 9, 2022**

Marc Allred presented the staff report.

**PUBLIC HEARING**

FOR:

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

We know we didn't follow the area plan, we just didn't think the office use could continue. We felt like the multifamily use was a good transition. The interstate represents a good physical barrier from further encroachment of multifamily to the east. Traffic counts for the current zoning are at 104 or 105 trips per day. We don't feel like the multifamily zoning proposes much more impact than what is otherwise allowed. We anticipate a lot of traffic movements would lead to site exits to the west and probably north on South Main Street.

Melynda asked why private sewer was necessary for the development.

Mr. Causey indicated that development of the property had likely been prohibitive in the past because it sits down below the road about 10 – 15 feet. Pumping to the sewer main under South Main Street was more desirable and feasible than obtaining an easement across properties to the south.

AGAINST:

Megan Bowers, 155 Wainwright Street, Winston-Salem, NC 27107

I live at the corner of South Main and Wainwright Street. The main reason I'm here today is because this entire south side of Arnold Avenue dead ends. Our only exits are through Arnold Avenue or continuing north on Lexwin Street and coming out on the opposite side of US 52 onto Clemmons Road. Obviously, it doesn't take a lot longer, but when you are in a rush, it does create a lot of extra time. With the townhomes they want to build, they are doing 36 parking spots, and if everyone in the townhomes owns two cars, then that's perfect. But, if they have guests or kids, then there are going to be more cars parked on the side of the road if they don't have anywhere else to park. This will cause more traffic congestion for people on the south side of Lexwin to get through. I just moved in, and I love my little neighborhood because it is secluded. The neighborhood hasn't exploded into the city like a lot of other places have.

## **WORK SESSION**

Jason Grubbs commended the developers for pursuing infill development in an underutilized area. He added that it was created way of spurring development and thought the Board would be seeing similar proposals in the future.

Jack Steelman asked staff to confirm that two parking spaces per unit meets the ordinance requirement.

Melynda asked whether staff might recommend the area for an activity center or for mixed use. In the future, would the recommendation allow for more residential development?

Chris Murphy indicated that it is time to take a fresh look at all of staff's land use recommendations, especially in the context of the new comprehensive plan and any area plans that may follow. He did not think that an activity center recommendation was necessarily appropriate, but that residential development at a mixture of densities may be likely.

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

SECOND: Jason Grubbs

VOTE:

FOR: Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

FOR: Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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Chris Murphy, AICP/CZO  
Director of Planning and Development Services