

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3322
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	CCC Gallery Lofts, LLC and CCC Gallery Lofts II, LLC
Owner(s)	Same
Subject Property	PIN#s 6835-28-7502, 6835-28-8323, and 6835-28-8191
Address	102 East Seventh Street and 181 East Sixth Street
Type of Request	Special use limited rezoning from PB-S and PB to CI-L
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from PB-S (Pedestrian Business – special use – Residential Building, Multifamily) and PB (Pedestrian Business District) to CI-L (Central Industrial – special use limited zoning). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> Residential Building, Townhouse; Residential Building, Multifamily; Combined Use; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store; Shopping Center; Shopping Center, Small; Banking and Financial Services; Bed and Breakfast; Hotel or Motel; Offices; Services, A; Services, B; Testing and Research Lab; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School, Public; and School, Vocational or Professional <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.</p>
Remandment and Continuance History	The request was continued from the February 9, 2017 Planning Board meeting to the March 9 meeting in order to add an adjacent lot to the request. At the April 3 City Council meeting, the request was remanded back to the Planning Board as the proposed zoning has changed from CI to CI-L. The request was then continued from the May 11, 2017 Planning Board meeting to the June 8 meeting.
Neighborhood Contact/Meeting	According to the petitioner’s representative: “On January 5, 2017, representatives from Stimmel Associates held a neighborhood drop-in session from 6:00 until 7:30 at the Milton Rhodes Center for the Arts in the Hanes Conference Room. A total of 41 invitations were sent to the surrounding property owners. Attendees of the meeting included 1

	individual representing 1 property, a member of the Gallery Lofts Property Management, 1 resident of the Gallery Lofts, and 1 individual who was from the Coffee Park who was curious about the drop-in session. See attached sign-in sheet Attachment C.” Update: According to the petitioner’s representative: “A neighborhood meeting was held for the Gallery Lofts residents on Thursday, May 25. Representatives from the ownership and development group shared future plans for the site and answered questions from the residents. Sixteen residents attended the meeting, which went from 6:00 pm until 8:00 pm.” See Attachment B for more details.		
Zoning District Purpose Statement	The CI District is intended to accommodate biomedical, technological, scientific, and other public and private research uses within GMA 1. The district is also intended to accommodate a pedestrian oriented mixture of uses such as office, retail, residential and light manufacturing to support the primary research function of the district. The district encourages innovation by offering flexibility in design and layout requirements in an urban context. Development in the CI District should incorporate pedestrian oriented design elements such as facade articulation, sidewalks, open space plazas, entrances facing the street, windows, awnings, and structured parking.		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes, the site is located within a portion of the Center City Growth Management Area which is experiencing increased pedestrian activity resulting from recent development. The site is located directly west of property which is zoned CI.		
GENERAL SITE INFORMATION			
Location	West side of Chestnut Street, between Fifth Street and Seventh Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	East		
Site Acreage	± 2.05 acres		
Current Land Use	Currently located on the southern portion of the site is small park. The northern portion of the site contains a multistory 49,125 square foot residential building known as the Gallery Lofts, a surface parking area, and a 26,500 square foot, one story building which is currently unoccupied.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	GB-L	Arts Based School
	East	PB & CI	Goler Manor Apartments and surface parking
	South	CI WO	Surface parking area
	West	CI WO & PB WO	Surface parking and the Winston Factory Lofts across a railroad

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Yes, the proposed mixture of uses is similar to the mixture of uses which are permitted on the adjacent properties which are zoned PB, GB-L, CI, CI WO, and PB WO.			
Physical Characteristics	The northern portion of the site is fully developed and has a moderate slope downward toward the southeast. The southern portion of the site has a gentle slope downward toward the southeast and includes some vegetation in the area of the small park.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The site is not located within a water supply watershed.			
Historic, Natural Heritage and/or Farmland Inventories	The multistory building located on the PB zoned portion of the site is now known as the Gallery Lofts. This building (formerly known as the P.H. Hanes Knitting Co. Warehouse & Shipping Building) was built in 1940 and was listed on the National Register of Historic Places in 2005 as a contributing building within the P.H. Hanes Knitting Company complex of buildings. In 2007, the building was also designated a Local Historic Landmark. The Local Historic Landmark designation requires an approved certificate of appropriateness from the Historic Resources Commission prior to commencement of any minor or major work, including any alterations, relocations, demolitions, and new construction to the building and/or site. A certificate of appropriateness was approved in June 2007, February 2012, and March 2012. This building was renovated and converted to residential units using the historic preservation tax credits.			
Analysis of General Site Information	The subject property is developed with a modest sized building which is currently unoccupied, a small park, a multistory residential building, and some surface parking. The site is located along a railroad within a previously industrial part of downtown which has recently undergone extensive redevelopment for residential and research related purposes.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Seventh Street	Minor Thoroughfare	288’	840	13,800
Chestnut Street	Local Street	546’	2,000	NA
Sixth Street	Minor Thoroughfare	227’	1,200	13,800

Proposed Access Point(s)	Because this is a special use limited request with no access conditions, the exact location of access points is unknown. The site currently has vehicular access from Seventh Street and Chestnut Street.
Trip Generation - Existing/Proposed	Staff is unable to provide an accurate trip generation for either the existing general use zoned portion of the site or the proposed special use limited zoning because there are there no site plans.
Sidewalks	There is an abundance of sidewalks along both sides of all the surrounding streets.
Transit	Route 91 runs along Main Street located approximately 270 feet to the west.
Connectivity	The site is located within an urban setting characterized by a well-connected network of streets with short blocks.
Analysis of Site Access and Transportation Information	The site is located within an area which is served by transit and sidewalks. In regard to vehicular parking, one of the goals within the downtown setting is to reduce the degree of automobile dependence and the extent of surface parking areas. Accordingly, both the CB zoning district in the core of downtown and the adjacent CI zoning district have no minimum parking requirements. However, due to parking concerns expressed during the March 9 Planning Board public hearing and afterwards, the petitioners have volunteered a condition to address this matter (see the Analysis of Conformity to Plans and Planning Issues section below). Also, on a broader scope as means to address the realistic parking needs, there are two existing parking decks in the general area and one future deck which have some degree of public parking. This is in addition to existing on-street parking available to the public.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 1 – Center City
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Promote the conversion of surface parking lots into buildings to add to the vibrancy of downtown. • Encourage housing development in downtown for a diversity of occupants including students, empty nesters, young professionals and families. • Encourage housing downtown and in the Center City that is available at a variety of price points. • Encourage preservation of buildings listed individually in the National Register and in National Register Districts, as well as other significant historic buildings in downtown and the Center City.
Relevant Area Plan(s)	<i>Downtown Plan</i> (2013)
Area Plan Recommendations	<ul style="list-style-type: none"> • The site is recommended for mixed use development.

Site Located Along Growth Corridor?	The site is not located along a growth corridor.					
Site Located within Activity Center?	The site is located within the Downtown Winston-Salem Activity Center.					
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?					
	The general area surrounding the subject property is continually experiencing new residential, research related, and institutional development.					
	(R)(4) - Is the requested action in conformance with Legacy 2030?					
	Yes					
Analysis of Conformity to Plans and Planning Issues	The subject request is to rezone 2.05 acres located in the northeastern portion of downtown from PB and PB-S to CI-L. The <i>Downtown Plan</i> recommends mixed use development for the subject property along with the majority of downtown. Both the PB and the CI districts are consistent with this recommendation in that they allow for business, residential, and institutional land uses within an urban, pedestrian oriented context.					
	The CI district, similar to the CB Central Business zoning district, has no parking requirements. During the initial Planning Board public hearing for this request, the issue of parking was discussed at length. In response to this concern, the request has been revised to a special use limited proposal. The petitioners have volunteered a condition to comply with the parking requirements which are allowed for uses within the PB (Pedestrian Business) district. It should be noted that the PB district offers a 30% reduction in the otherwise required number of parking spaces which depends upon the proposed use. Other ancillary reductions are also available depending upon the availability of transit, sidewalks, and/or the provision of additional landscaping. Planning staff recommends approval.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2831	CI and LI to PB	Approved 2-6-06	Included a portion of current site	.67	Approval	Approval
W-2694	LI to PB-S	Approved 6-7-04	Included a portion of current site	.62	Approval	Approval

W-2674	LI to PB	Approved 3-1-04	Included a portion of current site	1.76	Approval	Approval
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The proposed CI-L zoning is consistent with the recommendations of the <i>Downtown Area Plan</i> and <i>Legacy 2030</i> .			The proposed CI-L zoning may facilitate new development on the site which may increase traffic levels in the general area.			
The site is located in a pedestrian oriented area which is well served by transit and sidewalks.						
The site is adjacent to other properties which are zoned CI.						
The proposed CI-L request will allow more development flexibility on the subject property than is permitted by the existing mixture of zonings.						
The subject request includes a condition to address parking.						
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL						
The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.						
<ul style="list-style-type: none">• <u>PRIOR TO THE ISSUANCE OF BUILDING PERMITS:</u><ul style="list-style-type: none">a. Future building construction shall not exceed sixty (60) feet in height.• <u>OTHER REQUIREMENTS:</u><ul style="list-style-type: none">a. Required parking for any use on the subject property shall only use parking reductions/discounts available to the Pedestrian Business (PB) zoning district.						

STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **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-3322

MARCH 9, 2017

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Luke Dickey, Stimmel Associates, 601 N. Trade Street, Suite 200, Winston-Salem, NC 27101

- When they got their historic designation in 2007 CCC Gallery Lofts became one of the pioneers in bringing residential development into downtown.
- After discussions with staff we chose the CI District which allows more flexibility in developing the two parcels north of the existing historic building. A majority of the site around it is zoned CI.
- We are in an urban environment.
- The intent for phase two development is to provide a higher ratio of parking when they move forward with the overall plan.
- This protects the existing investment of the Gallery Lofts and provides a viable phase two development.
- CI doesn't require parking, but parking will be provided to meet market demands.
- We held a neighborhood meeting. Four people showed up. One was a property owner, the pastor representing the church to the north. She was very appreciative.
- The petitioner is still working on their plans, but they will be reaching out to property owners in the near future.

AGAINST:

Chris Woollard, 181 E. Sixth Street, Suite 414, Winston-Salem, NC 27101

- I am speaking on behalf of residents in our building on the site.
- We are concerned about this rezoning, both in regards to this specific case and what is happening in general in terms of planning and rezoning in this area with an effort to take over what is currently zoned PB & GB with an industrial zoning.
- This is the Goler Heights neighborhood, the epicenter of black history in Winston-Salem. This neighborhood has never had proper representation, proper history done on it or any recognition for its historical value to the City.
- Its integrity is greatly diminished already. Any zoning changes which will happen in this area are going to be to the further detriment of what's left of that integrity.

- There are no regulations that would apply to parking for CI zoning.
- If we were talking about businesses where parking is provided two blocks away, that would be okay. But we are talking about residents who want to park on site, not two blocks away where they have to carry their groceries two blocks.
- This parking deck will provide some public parking. In addition, it will be at least partially owned by Wake Forest. They will have control over what they do with it and how many spots they will allow public parking for. We don't know how many spaces that will be or even if it will provide adequate parking for the residents around it.
- There is additional development at Patterson and MLK which will be adding more residential units. It was done in PB zoning which allows multifamily residential and has parking regulations. PB zoning allows what they might want to place here so why is the rezoning necessary?
- We're having a problem with parking right now just given what development exists.
- This development will further exacerbate the existing problems.
- We need to look at the intent of doing away with parking ordinances in this part of town.
- This is an unfortunate precedent to set for private property owners who wish to develop multifamily residential units and not have any parking regulations that would be applicable to their properties. The two developments that are currently residential on CI land are in areas which were already zoned CI.

Will Knott, 424 Springdale Avenue, Winston-Salem, NC 27104

- I speak as the guardian of two children who go to the Arts Based School.
- This opposition is about traffic issues and safety.
- Emergency vehicles have a lot of difficulty getting through there because of traffic for the school and for Mud Pies.
- We don't know the impact of the development at Martin Luther King Jr Drive.
- There's an active railroad track here which really scrambles the traffic.
- There's the future impact of Business 40 when Section D of that project is done and affects Martin Luther King Jr Drive and Cherry Street.

Michael Suggs, 889 N. Liberty Street, Winston-Salem, NC 27101

- I'm speaking on behalf of Goler Community Development Corporation which was one of the original planners for the area.
- This area was known as Goler Heights originally.
- About fifteen (15) years ago when we acquired the property, we did a series of charrettes with the community and were very intentional about how we wanted to zone the area. We didn't want high density. We wanted walkability. The recommendation at that time was to zone it PB. This is inconsistent with the plan. We wanted people to have a place to park.
- This is a peninsula that you are building into a community that was already well thought out.
- Parking is a big issue. If you develop this without parking you will have people parking in areas which were designed for other properties.
- I'm concerned that you are going to change the fabric of the City.
- Next door is housing for the elderly. We don't want the problem of people taking up parking spaces which were originally intended for the elderly.

- They can build more apartments but let's build the parking spaces to support them.
- This may be flexibility for the petitioners but we want to know specifically what is coming to the community and how many units you are talking about.
- We know what is happening on the Link property and if they are building enough parking spaces to support that.
- Please leave this as PB zoning.

Kevin Nunley, 643 N. Spring Street, Winston-Salem, NC 27101

- I'm here on behalf of the Arts Based School.
- Our concerns are parking, traffic patterns, safety, and congestion around the school, particularly at pick-up and drop-off times.
- The school has been here for about fifteen (15) years. It was one of the first projects to develop in the area and help bring back the vibrancy to the Goler area.
- Without knowing more about this project it's hard for us not to be opposed to it because of the traffic and the safety of our kids being dropped off and picked up.
- We have 500 kids and since we are a charter school we don't have a busing program.
- If you have more traffic along here you get to the point where you're blocking off the entrance to the school. We don't want parents dropping off children in the middle of congestion because they can't get to the entrance.
- We want to be a good neighbor. We want to support development. But at this point we would be opposed to it.

WORK SESSION

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

In response to questions, staff explained parking for the area.

In response to a question by George Bryan, Paul Norby explained that CI has been in this area for several decades. About ten (10) years ago we made modifications to the CI district to allow additional land use flexibility during the transition period between when Innovation Quarter was adding development but RJ Reynolds still had interest in some of the property in the area. Residential was added at that time to the uses allowed in CI.

The PH Hanes building in the center of the site is a historic building.

Tommy Hicks: Do you have a projected date of completion for the parking deck? Gary Roberts: I understand a permit has been issued for the Link parking deck so that should begin soon. Some of the 872 spaces in that deck will be available to the public.

Melynda Dunigan: Why didn't the petitioner go with special use so you had a site plan and it was more specifically delineated? Luke Dickey: They are still working on their site plan and what they might want to do, but they wanted to move ahead with the zoning and be able to adjust their site plan as needed.

There was no representation from the school at the neighborhood meeting. Luke Dickey was contacted by Neil Foster who is the property owner and emailed him in response to his questions.

Allan Younger asked Chris Woollard if there was enough assigned parking now for Gallery Lofts and how much parking is currently there. Chris Woollard answered that there is not enough parking now. There are sixty-two (62) units, both one (1) and two (2) bedroom, with his estimate of close to thirty (30) spaces in a parking garage and close to forty-five (45) spaces in a gated parking lot.

George Bryan asked Kevin Nunley about parking along Seventh Street. He responded that it was a little wider than a neighborhood road but is two lanes. There is not parking allowed on the sides of the road. People do park there to pick up their kids but it is not allowed.

After George Bryan asked why the school did not have representation at the meeting, Kevin Nunley stated that they did not receive notification about the meeting. The school rents the building and it appears the owner, Neil Foster, did receive the notice and communicated with the petitioner's representative. From a previous conversation with him it appears he did not know the extent of the proposal.

Staff confirmed that there are no parking requirements for CI zoning.

Parking would have to be provided in PB, but it does get a thirty (30) percent break.

Melynda Dunigan: When adjustments were made to the CI District, what was the thinking behind allowing multifamily and not requiring the parking? Paul Norby: We saw the CI District as a companion district to CB. For several decades the CB District has not had an on-site parking requirement because in a downtown area you don't necessarily want each individual site to have its own parking area. You want to encourage joint use of parking, parking decks, some on-street parking, use of transit, a lot of pedestrian movement between uses and things like that to deemphasize the parking requirements you would have in a suburban area. As the Innovation Quarter was planned, it was seen as a companion part of the downtown expansion with the idea that you would have similar requirements related to parking. When developers are putting in development and trying to lease or sell it, one of the things they will keep in mind is that the user will want to know how you are going to handle parking. A lot of development in our downtown area works by having lease agreements in parking decks or other kinds of shared parking or they rely on their residents to not be having two cars per household. That's why cities in general don't have downtown parking requirements. We had to treat the conversion of the old CI District ten (10) years ago a little differently since we were still in that transition between RJ Reynolds having property control over some industrial properties that would eventually be turned into Innovation Quarter which would be very similar to downtown development.

Melynda Dunigan: But you're still intending for some practical way for people to park a car?

Paul Norby: The idea behind CB and CI is that you don't make that a requirement for every single piece of property but there are parking resources in the general area and you rely on other forms of transportation to lessen the need for parking.

Clarence Lambe: We have not had parking requirements in CB for decades. It's an urban, high density environment and by definition that's how its always been treated.

George Bryan: So it's incumbent upon City Council to look at having enough parking so you have development and are not inhibiting that development. What kind of commitment does the City have to putting in convenient parking? Many of the allowed uses in CB require parking,

from a practical sense. How do we help this area develop and have convenient parking? Paul Norby: The City is conducting a parking study right now to get a better handle on what are the present and future problems, needs, and arrangements. That doesn't necessarily mean there's a new City parking deck in our future as there are several both public and private parking decks in the downtown area. The City isn't the only provider for downtown parking. There are three publicly owned parking decks within about two to three blocks of this site. If developers feel they need to provide on-site parking, it's up to them to figure it out. It's impractical in this downtown area to put a requirement on each property owner that if they develop their site they have to provide on-site parking.

In response to a question from George Bryan, Luke Dickey explained that there is currently other development happening in this area which provides competition for this development. As a result, the petitioners here will make sure there is adequate parking so they can compete at the same level as similar developments in this area. They need to protect their investment.

Paul Mullican: I agree. If you are investing your money in a development, you are going to provide what the market is demanding. When you move downtown you expect this kind of situation, expect to be using public transit. Parking your car a block or two away isn't a big deal because you don't need it as much.

Tommy Hicks: Part of the brain trust behind Innovation Quarter was that it was going to be a place where people live, work, and play. A lot of the recruitment for the people who will live in that building will be the millennials who will probably park their car in that residential space and not move it. I can appreciate the concern for safety, particularly of the children, but my hope as Paul Mullican said, is that this is going to be an urban style of living where people are not using their cars as much as we may predict. It's not going to be an influx of traffic that we can envision hampering our older and younger citizens.

Arnold King: We're in transition now. We're trying to create this urban environment. Unfortunately some residents still have a suburban mentality. They want the cars. They want the best of both and that's the problem now.

Darryl Little: Has anybody looked at the traffic studies that would impact this particular area with the new development that's considered? Connie James, City Department of Transportation responded, referencing the traffic study which was done for the Business 40 closure for the downtown area. Currently we have a rush hour that lasts maybe thirty (30) minutes. In the worst case scenario, traffic in the downtown area might flow at a Level of Service B. If traffic is really backed up on Fourth Street, that area may be a Level of Service C. But generally traffic in this area flows very well. I wouldn't anticipate that this particular development/redevelopment would have significant impacts. Darryl Little: The reason I ask is that I travel this route several times a day and invariably go past this area as school is letting out. That can be hectic at times. Connie James: We are aware of the traffic issues. Sometimes you don't have enough room to queue the traffic. We deal with this situation with other schools on a regular basis. We will be getting together with the school to see what we can do to help with their current situation.

Allan Younger: I am very much in support of downtown development and what is happening here. One of the challenges we have though is that a lot of people have moved downtown and

are not used to walking more than driving. We have to be careful with development that we don't squeeze them out, especially when many of them have lived here for some time now. It's hard to make an easy decision one way or the other at this point.

George Bryan: I was very impressed by Mr. Suggs' presentation because Goler put a lot of risk into this area even before the City was to that point. They have a lot of money invested here. They feel PB will do what they need. Only part of the land is zoned PB. They have the flexibility they are seeking on the rest of the site which is zoned CI. We can turn this down and they can come back with a Special Use or Limited Use request which gives more assurance about what will happen here. There's not a lot of parking required on this anyway and that's the way it should be downtown. I feel a developer could come back in and give us a better proposal.

Melynda Dunigan: That's a lot of what I was thinking - both what George Bryan and Allen Younger said. This is a really tough case because I also support downtown residential development and walkability and not a lot of surface parking lots. But this area presents some unique circumstances where there are pressures affecting it. I would feel much more comfortable having a site plan and having more specificity about what is going to happen with this site.

Brenda Smith: I have a concern about saying we're only going to approve special use in an area. There's a long history between planning, rezoning, and investment in the area. Even if this is PB you're still going to add people and vehicles and parking. What additional increment of cars are we going to add if we say we're only going to approve special use to know ahead of time how many people are going to commit? Whether they park in PB or for another reason, you're going to add people. The goal is to add more people to the area. In the big picture that is what we are approving rather than saying we will only approve special use. We need to give some flexibility. A successful development is going to respect the history. If they want a successful enterprise they are going to provide parking to make it a desirable place. I don't think we need to require special use up front for this kind of development.

Paul Mullican: Traffic flow at the school is a concern. I don't think whether this is PB or CI will change the amount of the traffic very much. I think it will be good to go ahead and approve this.

MOTION: Paul Mullican moved approval of the zoning petition.

SECOND: Clarence Lambe

VOTE:

FOR: Tommy Hicks, Arnold King, Clarence Lambe, Paul Mullican, Brenda Smith

AGAINST: George Bryan, Melynda Dunigan, Darryl Little, Allan Younger

EXCUSED: None

CITY-COUNTY PLANNING BOARD

PUBLIC HEARING

MINUTES FOR W-3322

MAY 11, 2017

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Luke Dickey, Stimmel Associates, 601 N. Trade Street, Suite 200, Winston-Salem, NC 27101

- Last time we were here, the main concerns seemed to be parking and traffic congestion. Because of the general use district being requested we could not discuss the specifics of that.
- Primary concerns were focused on the fact that CI does not have any parking requirements, so we asked the City Council to remand the case to you so we could change the request to CI Limited and include a parking condition. The condition requires parking to match the requirements for the PB district. Hopefully that will address those concerns.
- We met with the Arts Based School and Goler Community Development prior to the City Council meeting and they were fully supportive of what we are trying to do as long as we added the condition about PB parking and eliminated some of the uses; both of which we have done.
- Another concern from residents was how they were not contacted about what was taking place. I have a notification letter that was sent from the ownership group. Existing here now is a residential development with roughly eighty-two (82) units, a mixture of one (1) bedroom and two (2) bedroom units. Eighty-two (82) units is hard to maintain from a marketability standpoint so their goal is to add forty (40) to fifty (50) studio apartments.
- Amenities such as a salt water pool and a grilling area will be added. Their intent is to get the zoning in place with the flexibility for the type of development they want to do before developing a specific site plan because that costs a lot of money to develop.
- The overall goal after adding these forty (40) to fifty (50) units and also the amenities is to make it more in line with the marketplace so it is competitive with other residential facilities in the area.
- The intent with this new development is to add a higher ratio of parking above and beyond what they have now even with the addition of forty (40) to fifty (50) units.
- Our request at this point is to move this forward with this condition and help move this expansion of the Gallery Lofts forward into the future.

AGAINST:

Dan Knight, 181 E. Sixth Street, #401, Winston-Salem, NC 27101

- I'm here representing some of the residents of the Gallery Lofts. We represent all walks of life.
- We chose this building in this particular neighborhood because we are part of a community where we feel safe, respected and free to follow our individual paths.
- We are a few of the pioneers of the diverse community which your foresight has helped to bring into being and the preparation and ideals that you have set forth in this particular neighborhood.
- We are here now. We're not millennials. We are not the folks who are going to come in and rent small little apartments, work here for maybe six (6) months or a year and go on somewhere else.
- We are here, we are establishing careers, have established careers, and we want to spend our lives in Winston-Salem.
- We ask only one thing of you this afternoon. We ask that you keep that same sense of commitment to people, to neighborhood, to place at the forefront of your decisions today.
- We have had no notification of the plans related to this specific process. None.
- Approving the change in zoning classification of this neighborhood without a site plan from the developer is a vote for blind progress.
- There can be no foresight in a plan that has no plan. I see foresight in the plan that you originally had for this place. We have that now.
- We have a sense of neighborhood, a sense of belonging, a sense of place here. We would hate to see that destroyed by the kind of planning that would substitute that for a high-rise.
- Do something really special here.
- Winston-Salem has the perfect opportunity in the Wake Forest Innovation Quarter to not only build a place that is high tech but to do something special and unique here.
- There can only be a shared sense of community if all members of the community are included in that vision. That's not been the case. The owners of the property have been contacted but the residents who live here have heard not word one.
- We urge you to withhold a change in zoning until such time as the proposed developer submits a site plan for public review that fully shares their vision for our neighborhood with us.
- Let us have a discussion about what fits the unique characteristics of Winston-Salem.
- If they want to make an investment in this city, let them spend the few dollars it will cost to put a real site plan together and make a real presentation to you. That way we can consider it. It might be something that we can embrace but if we don't know what it is we can't make a judgment on it.

Will Knott, 424 Springdale Avenue, Winston-Salem, NC 27104

- My concern is about safety. There is a school right there with 500 students. There is also a day care.
- The map that came with the zoning minutes is out of date. It shows buildings that have been demolished over a decade ago. It doesn't show new buildings. It shows that Liberty Street ties into Martin Luther King, Jr. Drive and it does not because that is one

of the locations that parents stop, get out, and cross five lanes of traffic to pick up their children. Sometimes these parents are carrying small kids, sometimes they are pushing a stroller.

- Connie James testified at the last meeting that there was adequate parking for the CI District. Presently there is no parking allowed along Seventh Street which is used by the parents and grandparents as they line up for drop-off and pick-up in the afternoons. Other parents are trying to walk across Seventh Street which is so narrow that cars queuing up to pick-up/drop-off children take up one lane and two way traffic is trying to get through with one lane.
- My concern is safety and I agree that a site plan needs to be issued so that safety of children and adults can be taken care of.

WORK SESSION

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

Melynda Dunigan: Was there a meeting where the neighbors were invited? Luke Dickey: We tried to work with the development group to do that and they chose to distribute the letter instead.

Melynda Dunigan: Could there be a change to address the parking issue along Seventh Street or would that be unlikely? In response to the question, Julie Knight, 181 E. Sixth Street, #401, stated that she walks along Seventh Street every day and the only parking which is available for the school is in the school property. There is no available parking along Seventh and there is no place for parking. It's a very dangerous situation. Those children are already at risk. And it has a great impact on the flow of traffic. There is a sign saying "No parking allowed". Dan Knight pointed out two (2) cones put out along Seventh Street every day by the school to reinforce the no parking along that portion of the street. The possibility of an accident here with the school, the day care and the railway crossing is extraordinary.

Allan Younger: If you did see a site plan, what type development would you be open to? Or are you opposed to all development? Dan Knight: I'm not opposed to development because if you are a developer and you have a particular piece of property you want to see it used to the best maximum profit. What I would like to see is something that included the neighborhood, that did not impact greatly on the feeling of space. I've talked a lot with the folks at Goler AME Zion Church and they have concerns about dogs on their property, about trash in the area, about the increase in density in population in what's going on around them, to the point where the church is considering putting a fence around their green space there. So what I would like to see is something that is inclusive of the space, that contributed to the feeling of neighborhood and community. I don't know what that would look like.

Arnold King: Mr. Dickey or Mr. Stimmel, given that we don't have a site plan, there was concern about a skyscraper and that sort of thing. Do you have any idea what scale building would be proposed? Doug Stimmel, 601 N. Trade Street, Suite 200, Winston-Salem, NC 27101 replied that there is one acre there so by the time you meet parking requirements of the PB District, you're very limited in terms of what size building you can put there. We respect

everything Mr. Knight has said. We're trying to create something better for the community. Downtown has experienced an increase in multifamily units in the last twenty (20) years. Eighty-two (82) units is not feasible to manage to compete with the 400 unit project that is going in on the next corner. They have to be able to have more units. That's why they want to add forty (40) to fifty (50) more units. Regarding notification, we met with Mr. Suggs after the last meeting. They fully support the concerns about parking. Parking and traffic is a concern because of the challenge from the Arts Based School that brings 500 parents a day in and out of that street. This site will not create that problem with forty (40) to fifty (50) apartment units. In terms of notices to the neighborhood, the current owner said they would touch base with all of them so I can't speak to why they weren't notified. All the residents around that were notified. The existing owner was to touch base with the residents here and told us that he sent that letter to them. I understand they want to see a representation of what goes on. The owner is not here, but I'm willing to ask for a continuance and request that the owner meet with them to show any preliminary plans that he has. What the owner is trying to do before he spends hundreds of thousands of dollars and moves ahead with plans is to get the zoning approved. What is recommended in all our area plans for this site is multifamily and PB limits those uses. That's what we asked for in this zoning. We limited the parking and thought we addressed the concerns with the school and everybody else. The owner was to contact them, and I'm asking for a continuance.

Arnold King: Are you agreeable to a continuance? Doug Stimmel: We are.

MOTION: Melynda Dunigan moved to continue the zoning petition to June 8, 2017.

SECOND: Chris Leak

VOTE:

FOR: Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak,
Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

CITY-COUNTY PLANNING BOARD PUBLIC HEARING MINUTES FOR W-3322 JUNE 8, 2017

Gary Roberts presented the staff report.

PUBLIC HEARING

Although the public hearing for this case was closed at the May 11th meeting, the Board gave each side five minutes time to present updates.

FOR:

Luke Dickey, 601 N. Trade Street, Suite 200, Winston-Salem, NC 27102

- We had a neighborhood meeting with the residents of Gallery Lofts on May 25th.
- Sixteen (16) of the eighty-two (82) residents attended the meeting for a good two-hour discussion.
- The purpose of the meeting was to discuss with the residents a sketch plan of what was to be done on the property which was a four-story building of one (1) bedroom units, or possibly two (2) bedroom units, with parking underneath and amenities such as a salt-water pool and grilling area.
- We spoke with the Arts Based School as well as with Michael Suggs of the Goler Community Development. He is also supportive of what the plans were at that time.
- We've added a new condition regarding building height which came out of the meeting with the residents. That sixty (60) foot limit is right in line with what the Pedestrian Business zoning height limit is.
- We also have added the condition about parking.

Chris Woollard, 181 E. Sixth Street, Apt. 414, Winston-Salem, NC 27101

- Thank you for granting the continuance last time. That allowed Stimmel to convince our property owners to have a meeting with us.
- I'm here to make sure the three stipulations which have been agreed to go forward with the zoning: the building height, the parking, and the uses allowed.
- I'd also like to implore you today with a couple of things relating to construction in the future and why this rezoning is happening.
- This site includes sixty-five (65) of our 105 parking spots. That is sixty (60) percent of our building's parking. That's immense. We have a verbal agreement from the property owner that they will provide sixty-five (65) parking spots off-site for the duration of construction. We would like more than a verbal agreement. We would like that to be a binding stipulation.

- The block of Chestnut Street between Fifth and Sixth is currently closed due to the construction of a parking deck and the building of an apartment complex. We were told by the construction site superintendent that the street closure is permanent for the duration of construction which is thirty-six (36) months. We were given twenty-four (24) hours notice of that street closure. We want to make sure that doesn't happen again.
- Given that and also the Arts Based School's concerns about safety and also about traffic flow on Seventh, we would also like you to consider adding some sort of stipulation saying that if street closures need to happen they cannot be long term. If they are short-term closures, that we get plenty of warning, written and verbal and that the Arts Based School also gets warning so that they can prepare for this.
- I'd like to reiterate the issue of community meetings. Everybody has a right to be involved in these meetings, not just property owners. That's a good lesson to be learned from what's happened here.
- What we were looking for was a little bit of transparency, a little bit of communication, a little bit of honesty. I'm starting to see that now and I'm happy about that. I'd like to keep seeing that.
- We're happy to let this move forward as long as our stipulations are met.
- We're looking forward to working together with the developer on this project, not against them.

AGAINST:

Will Knott, 424 Springdale Avenue, Winston-Salem, NC 27104

- My grandkids attend the Arts Based School. We deal with the parking and congestion, especially along Seventh Street, every day both during pick up and drop off.
- Distributed aerial photograph which he used to explain traffic flow around the Arts Based School.
- Traffic and safety are such big issues that I have gotten out of my car to direct traffic.
- I am asking that attached to this zoning change the City not allow any parking along Seventh Street forever.

WORK SESSION

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

Arnold King asked Connie James to address the parking issue and the street closure notification policies. She stated that the last closure granted for Patterson Avenue was granted last month. When there are events going on at Bailey Park, the contractors have been good to work with in opening the streets. Right now they are using it mainly for deliveries. We have not heard anything about the road being requested to be closed for thirty-six (36) months and we certainly would not give that kind of blanket approval for a closure of a street for that time period. Chestnut Street has been given approval to close as part of the Link construction project. I don't know a time period for that but we would not have approved thirty-six (36) months. It is a relatively low volume street and I can assume the loss of parking along that street is the concern? There is a section of Seventh Street where parking is allowed and a section where it is not allowed. When we looked at this in the field, there were a number of signs missing so we have sent out a work order to our shop to get those signs reinstalled. Duke Energy poles were switched out and we believe the signs went with the old poles.

Melynda Dunigan asked if it were possible to give a warning to the Arts Based School to let them know of a street closure ahead of time? Connie James stated that can certainly be done. Typically when we have a request like this we send an email to our Marketing and Communications Department letting them know that this is coming. Street closures are always posted on the City's website. If folks subscribe to our website they can get updates as well.

Arnold King asked if the sixty-five (65) parking spaces mentioned earlier were under the Planning Board's jurisdiction. Chris Murphy answered that they would have to provide sixty-five (65) parking spaces during the interim. When a construction permit is issued the applicant must show how the requirement will be met. If during that construction period something happened to cause some spaces to be lost and we were notified of it, we would take enforcement action to require them to show how they're meeting their parking requirements.

MOTION: Brenda Smith moved approval of the zoning petition with the additional condition under "Prior to the Issuance of Building Permits" that future building construction shall not exceed sixty (60) feet in height.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Arnold King, Chris Leak, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services