

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

| PETITION INFORMATION | | | |
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| Docket # | W-3350 | | |
| Staff | Bryan D. Wilson | | |
| Petitioner(s) | Enclave Land Holdings LLC | | |
| Owner(s) | Same | | |
| Subject Property | PIN # 6818-82-2358 | | |
| Address | 4140 Bethania Station Road | | |
| Type of Request | Site plan amendment to modify the phase two area of the Enclave (zoned RM12-S) by replacing previously approved townhouse units with three-story apartment buildings. | | |
| Proposal | <p>The petitioner is requesting a site plan amendment to the existing RM12-S zoned property. The approved uses from the previously approved zoning case (W-2755) for this site are:</p> <p>Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; and Residential Building, Townhouse.</p> | | |
| Neighborhood Contact/Meeting | <p>Per correspondence received from the petitioner on 10/2/2017:</p> <p>On September 28, 2017 between the hours of 5:45pm and 7:45pm, we held a neighborhood meeting at North Forsyth High School located at 5705 Shattalon Drive, Winston-Salem, NC 27105. We had contacted approximately 40 surrounding property owners by mailing letters making them aware of the meeting. Letters were mailed September 14, 2017. Eight people attended the meeting. We reviewed our proposal and overall there was general support of the updated layout. Most of the support related to removing the previous connection to James Street and maintaining an undisturbed buffer between the single family properties & the new development. The one concern discussed was related to general construction noise.</p> | | |
| GENERAL SITE INFORMATION | | | |
| Location | West side of Bethania Station Road, south of Shattalon Drive | | |
| Jurisdiction | City of Winston-Salem | | |
| Ward(s) | North | | |
| Site Acreage | ± 16.73 acres | | |
| Current Land Use | The phase two portion of the site is currently undeveloped. | | |
| Surrounding Property Zoning and Use | Direction | Zoning District | Use |
| | North | RM12-S | Phase one of The Enclave |
| | East | RMU & LI | Self-storage units and apartments |
| | South | RS12 | Single-family homes |
| | West | RS12 & RS9 | Single-family homes |

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| 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? | | | | | |
| | The residential multi-family uses are a compatible transitional use with the surrounding industrial development and residential neighborhoods. | | | | | |
| Physical Characteristics | The phase two portion of the site is undeveloped and wooded. The site topography slopes downward to the south and east. It appears as though a portion of this site was previously cleared and rough graded. | | | | | |
| Proximity to Water and Sewer | The subject property has access to public water and sewer. | | | | | |
| Stormwater/ Drainage | Phase one of the site is managed with an existing stormwater pond. Phase two will be managed by a separate stormwater pond located in the southeastern portion of the site. | | | | | |
| Watershed and Overlay Districts | The site is not located in a water supply watershed. | | | | | |
| Analysis of General Site Information | The subject property is currently undeveloped and wooded, with a slope to the south and east. The developer proposes to significantly grade the northeastern portion of the site and leave the western portion of the subject property undisturbed at this time. High voltage power transmission lines transect the southern portion of the subject property. | | | | | |
| RELEVANT ZONING HISTORIES | | | | | | |
| Case | Request | Decision & Date | Direction from Site | Acres | Recommendation | |
| | | | | | Staff | CCPB |
| W-2755 | RS9 to RM12-S | Approved 3/10/2005 | Current Property | 25.73 | Approval | Approval |
| SITE ACCESS AND TRANSPORTATION INFORMATION | | | | | | |
| Street Name | Classification | Frontage | Average Daily Trip Count | Capacity at Level of Service D | | |
| Bethania Station Road | Minor Thoroughfare | ±997' | 11,000 | 15,300 | | |
| Proposed Access Point(s) | The phase two site plan proposes interior connections to Villa Club Drive (private) and a new driveway connection to Bethania Station Road. | | | | | |
| Planned Road Improvements | A prior condition requires the developer to install sidewalks along the frontage of Bethania Station Road. WSDOT is requiring the developer to widen Bethania Station Road 18' from center with curb and gutter. | | | | | |
| Trip Generation - Existing/Proposed | Trip Generation from originally approved site plan (W-2755): RM12-S 240 units x 6.59 (Multifamily Trip Rate) = 1,582 Trips per Day Trip generation for existing phase one and proposed phase two site plans: RM12-S 164 units x 6.59 (Multifamily Trip Rate) = 1,081 trips per day | | | | | |
| Sidewalks | Sidewalks are proposed along both sides of all interior driveways and along the Bethania Station Road frontage. | | | | | |
| Transit | WSTA route 97 stops approximately 1.5 miles to the west on Shattalon Drive. No dedicated bicycle lanes exist on Shattalon Drive or Bethania Station Road. | | | | | |

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|---|--|------------------------------|--|
| Connectivity | The site plan includes two internal connections to Villa Club Drive (private) which has access onto Shattalon Drive. The developer also proposes a new access driveway onto Bethania Station Road. No connection to James Street is proposed. | | |
| Analysis of Site Access and Transportation Information | The subject property is located along Bethania Station Road which is a minor thoroughfare. The developer proposes direct access onto Bethania Station Drive and cross access to Shattalon Drive through the first phase of the Enclave Development. Although this next phase would increase trip generation, the proposed site plan trip generation (1,081 per day) is still significantly less than the originally approved plan (1,582 per day). | | |
| SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS | | | |
| Building Square Footage | Square Footage | | Placement on Site |
| | ±43,000 SF | | 5 buildings grouped in the northeastern portion of the site. |
| Units (by type) and Density | 68 multifamily units (phase one) on 8.48 acres +96 apartment units on 16.73 acres (phase two) = 164 units on 25.21 acres = 6.51 units/acre | | |
| Parking | Required | Proposed | Layout |
| | 331 | 367 | 90° head-in. |
| Building Height | Maximum | | Proposed |
| | 45' | | 45' |
| Impervious Coverage | Maximum | | Proposed |
| | 75% | | 26% |
| UDO Sections Relevant to Subject Request | <ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.2(M) RM12 Multifamily Residential District. | | |
| Complies with Chapter B, Article VII, Section 7-5.3 | (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 site plan includes four, three story apartment buildings and one clubhouse with adequate combined parking. The proposed density is a little more than half of the maximum allowed density in the RM12 zoning district. The proposed impervious surface coverage is approximately one-third of the maximum allowed impervious coverage of 75%. | | |
| | When compared to the previously approved site plan approved in 2005 (Zoning Docket W-2755), the proposed site plan reduces the total number of units as well as reducing the number of buildings and impervious built upon area. | | |
| | | Currently approved site plan | Existing phase one and proposed phase 2 site plan |
| | Trip Generation | 1,582 trips per day | 1,081 trips per day |
| Parking spaces provided | 501 | 367 | |

| | | | |
|---|---|-----------------|-----------------|
| | Building square footage | 200,785 SF | 100,623 SF |
| | Overall density | 9.33 units/acre | 6.51 units/acre |
| | Number of units | 240 | 164 |
| | Impervious coverage | 41% | 26% |
| CONFORMITY TO PLANS AND PLANNING ISSUES | | | |
| Legacy 2030 Growth Management Area | Growth Management Area 3 - Suburban Neighborhoods | | |
| Relevant Legacy 2030 Recommendations | <ul style="list-style-type: none"> Promote quality design so that infill does not negatively impact surrounding development. Increase infill development in the serviceable land Encourage good design as a tool and incentive for increased residential densities. | | |
| Relevant Area Plan(s) | <i>North Suburban Area Plan Update (2014)</i> | | |
| Area Plan Recommendations | The Proposed Land Use Map recommends the subject property for intermediate-density residential land use (8.1-18 DU/AC) | | |
| Site Located Along Growth Corridor? | The subject property is not located along a growth corridor. | | |
| Site Located within Activity Center? | The subject property is not located within an 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? | | |
| | No | | |
| | (R)(4) - Is the requested action in conformance with Legacy 2030? | | |
| | Yes | | |
| Analysis of Conformity to Plans and Planning Issues | <p>The Enclave was originally approved by City Council in 2005. The original request included a total of 240 townhouse units on the entire acreage of the site. Subsequently, the northern half of the site was developed with 68 multifamily units. The developer is now requesting a site plan amendment to modify the phase two area of the Enclave by replacing previously approved townhouse units with apartments.</p> <p><i>Legacy 2030</i> recommends increasing residential infill development in serviceable areas. The subject property will also serve as a good transitional land use between the single-family homes to the south and west, and the more intensive business and industrially zoned property to the east.</p> <p>Staff is recommending all relevant prior conditions to be included with this site plan amendment. Staff recommends continuing the requirement to install sidewalks along the entirety of the development frontage along</p> | | |

Bethania Station Road. Additionally, staff is also requesting a condition to install an enhanced streetyard along Bethania Station Road to provide privacy for first floor tenants.

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

| Positive Aspects of Proposal | Negative Aspects of Proposal |
|---|---|
| Legacy 2030 recommends appropriate infill development on serviceable land. | The request includes 36 more parking spaces than what is required by the UDO. |
| The development would provide an appropriate transitional development area between high-intensity and low-intensity uses. | |
| Proposed impervious surface coverage is significantly below the originally approved site plan. | |
| The proposed development will generate less traffic than the originally approved plan. | |

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.

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department. 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.

- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
 - a. Developer shall obtain a driveway permit from NCDOT/City of Winston-Salem; additional improvements may be required prior to issuance of driveway permit. Required improvements include:
 - Dedication of right-of-way along Bethania Station Road forty (40) feet from centerline.
 - Widen Bethania Station Road eighteen (18) feet from centerline.
 - Install sidewalk and curb and gutter along Bethania Station Road.
 - b. Developer shall record a final plat in the Office of the Register of Deeds. Final plat shall show tentative building locations for the multifamily buildings and all access and utility easements.
 - c. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on “Exhibit A” as verified by Planning staff.

- **PRIOR TO THE SIGNING OF PLATS:**
 - a. All documents including covenants, restrictions, and homeowners’ association agreements shall be recorded in the office of the Register of Deeds. Final plats must

show common open space declarations. Covenants relating to stormwater must be approved by the City of Winston-Salem Stormwater Division.

- b. Developer shall record a twenty-five foot (25') wide cross access easement to the adjoining phase one portion of the development.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**

- a. Developer shall complete all requirements of the driveway permit.
- b. Developer shall install an enhanced ten-foot (10') streetyard along the frontage of Bethania Station Road as depicted on the site plan.
- c. Buildings shall be constructed in substantial conformance with the approved building elevations as approved by Planning staff.

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-3350 OCTOBER 12, 2017

Bryan Wilson presented the staff report.

PUBLIC HEARING

FOR:

George Tullis, 1280 Whitlock Ridge Drive SW, Marietta, GA 30064

- The pond is listed as conceptual simply until we get further into the process. We don't know the exact configuration of the pond, its size etc, so conceptual really means we don't know what will be there at the end of the day in terms of those things I just mentioned. But we will be providing stormwater pond because we have to.

Luke Dickey, 601 North Trade Street, Suite 200, Winston-Salem, NC 27101

- In regards to the stormwater pond on the existing phase, we have not analyzed that. What we are proposing is doing the maintenance agreements and management for what is going to be on the second phase.

AGAINST: Cynthia Dunston, 4080 Bethania Station Road, Winston-Salem, NC 27106

- Where are they going to put these buildings?
- I am concerned about the stormwater.
- How many apartment are in this request?
- If they think about a doing a phase III, will it be next to my home also?

Aaron King responded to the questions covering the site plan.

WORK SESSION

- The Board had additional questions about the conceptual nature of the stormwater pond.
- Have you looked at the potential engineering to bring that existing pond up to current standards and it be a win-win for everybody?
- The petitioner responded that he used the word "conceptual" because the engineering has not been done yet and that will determine the exact size and shape, but they know the pond will be in that location. They believe it is best to handle the new stormwater from this phase in its own sormwater management pond rather than dealing with the complications and issues of an existing one.
- A Board member suggested revised condition language that would require a site plan amendment for any significant modifications to the proposed stormwater pond. The applicant indicated that he was agreeable to this modified condition.

MOTION: George Bryan moved approval of the site plan, certifying that the site plan (including staff and the above noted stormwater pond conditions) meets all code requirements if the petition is approved.

SECOND: Melynda Dunigan

VOTE:

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

AGAINST: NONE

EXCUSED: None

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