

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3463
Staff	Gary Roberts, Jr., AICP
Petitioner(s)	National Investors of the Triad LLC, United Metropolitan Baptist Church, First Calvary Baptist Church of Winston-Salem, and City of Winston-Salem
Owner(s)	Same
Subject Property	PINs 6835-57-4589, 6835-57-1297, 6835-57-8605, 6835-57-8477, 6835-57-8504, 6835-57-5247, 6835-57-8256, and a portion of 6835-67-1523
Address	800, 911, 918, and 1020 East Fourth Street and 310 Woodland Avenue
Type of Request	Special Use rezoning from RM18 and RMU to PB-S
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RM18 (Residential, Multifamily – 18 units per acre maximum density) and RMU (Residential, Multifamily – Unlimited to PB-S (Pedestrian Business – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Combined Use; Food or Drug Store; Offices; Restaurant (without drive-through service); Retail Store; Services, A; Residential Building, Duplex; Residential Building, Multifamily; Residential Building, Townhouse; and Residential Building, Twin Home
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.
Zoning District Purpose Statement	The PB District is primarily intended to accommodate office, retail, service, institutional, and high-density residential uses that customarily serve community and convenience business needs of smaller communities and urban nodes in the City and County. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian-oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.
Rezoning Consideration from Section 3.2.15 A 13	<p>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes. The proposed list of uses and building placement shown on the site plan are consistent with the PB district purpose statement. The site is also located within GMA 1 and situated within an established urban neighborhood.</p>

GENERAL SITE INFORMATION						
Location	Generally bounded by East Third Street, Woodland Avenue, East Fifth Street, and Metropolitan Drive					
Jurisdiction	Winston-Salem					
Ward(s)	East					
Site Acreage	± 7.22 acres					
Current Land Use	The site is developed with multiple two-story apartment buildings containing 112 units. The western portion of the site is used by United Metropolitan Baptist Church for parking.					
Surrounding Property Zoning and Use	Direction	Zoning District	Use			
	North	GO and RM12	Metropolitan Avenue Center			
	East	RMU and RM18	First Calvary Baptist Church and a Child Day Care Center			
	South	RM18	Two-story apartment buildings			
	West	RM18	United Metropolitan Baptist Church and US 52			
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?					
	The proposed higher-density residential uses are compatible with the similar uses permitted on the adjacent properties.					
Physical Characteristics	The site has a gentle slope downward toward the southwest and includes mature canopy trees generally located along the street frontages.					
Proximity to Water and Sewer	Public water and sewer lines are located beneath East Third Street, East Fourth Street, Woodland Avenue, East Fifth Street, and Highland Avenue.					
Stormwater/ Drainage	Stormwater runoff will be managed by multiple underground control measures designed to meet the applicable standards of the City's post-construction stormwater management ordinance. A stormwater management study will be required prior to permitting.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The developed site is located within an urban setting and has street frontage along several blocks. It includes generally favorable topography and is not constrained by designated floodplains or water supply watersheds.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2352	RM18 Special Use Permit for Parking	Approved 12/6/1999	Directly southwest	.89	Approval	Approval
W-1687	R1 and R2 to R1 (GO)	Approved 11/19/1990	Directly north	32.53	Approval	Approval

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
East Fifth Street	Minor Thoroughfare	520 feet	4,900	15,800
Highland Avenue	Collector Street	608 feet	N/A	N/A
Woodland Avenue	Local Street	495 feet	N/A	N/A
East Third Street	Minor Thoroughfare	820 feet	1,700	27,500
Metropolitan Drive	Local Street	192 feet	N/A	N/A
East Fourth Street	Minor Thoroughfare	1,365 feet	1,700	13,800
Proposed Access Point(s)	The development will have the following vehicular access points: one from East Fifth Street, four from Highland Avenue, one from Woodland Avenue, one from East Fourth Street, and two from East Third Street.			
Planned Road Improvements	The 2018 bond referendum included funds for streetscape improvements along East Fifth Street between US 52 and Martin Luther King, Jr. Drive. WSDOT will review and approve any streetscape elements of the proposed development.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RM18 and RMU</u> Because there is no site plan associated with the existing development, staff is unable to determine the specific trip generation. However, for information purposes, the following estimate is based upon the number of apartment units currently located on the site. 112 units x 6.65 (apartment trip rate) = 745 trips per day</p> <p><u>Proposed Zoning: PB-S</u> The proposed mixed-use development is expected to generate approximately 3,269 trips in a 24-hour weekday. See additional comments below in the Transportation Impact Analysis section.</p>			
Sidewalks	Sidewalks are located on both sides of all adjacent public streets. The proposed development includes high-visibility crosswalks at appropriate internal locations and adjacent intersections.			
Transit	WSTA Routes 86, 92, 93, 94, 96, 98, 105 and 110 serve East Fifth Street.			
Connectivity	The proposed development maintains the existing street grid and will have one internal connection to the adjacent parking area for United Metropolitan Baptist Church.			
Transportation Impact Analysis (TIA)	All proposed access points and corresponding intersections are expected to operate at a Level of Service (LOS) C or better throughout the day, which is higher than the City's standard of LOS D. Significant capacity on the existing road network, accompanied by the various access points distributing the site traffic, will be sufficient to handle the additional traffic. No other improvements will be required.			

Analysis of Site Access and Transportation Information	The proposed development would add a significant amount of traffic at full buildout. However, the surrounding network of interconnected streets has ample capacity. Additionally, the site is well served by sidewalks and multiple transit lines. Per the recommendations of the TIA and WSDOT, the developers will be required to install high-visibility crosswalks at various locations.		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Non-Residential Building Square Footage	Square Footage		Placement on Site
	Offices: 30,310 square feet Commercial: 9,500 square feet 39,810 square feet		Fronting on existing streets
Units (by type) and Density	325 dwelling units on 7.22 acres = 45 units per acre		
Parking	Required	Proposed	Layout
	332 spaces	350 spaces	60- and 90-degree head-in, with parallel on-street
Building Height	Maximum		Proposed
	60 feet		Three and four stories
Impervious Coverage	Maximum		Proposed
	N/A		70.3 percent
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 4.6.6: Pedestrian Business District • Section 5.2.70: Residential Building, Multifamily (use-specific standards) • Section 5.2.73: Retail Store (use-specific standards) • Section 7.6.1: Common Recreation Areas 		
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	<p>The proposed site plan includes two four-story (plus basement) buildings on the northern half of the site fronting on East Fifth Street and East Fourth Street. These buildings include a total of 265 residential units with the potential for office and other commercial uses on the ground floor.</p> <p>The southern portion of the site consists of a three-story commercial/office building and three three-story townhouse and apartment buildings totaling 60 units. A proposed mid-block courtyard park along East Fourth Street would provide a terminal vista for Highland Avenue. The proposed common recreation area (comprised of three separate areas) totals 16,250 square feet.</p>		
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 a dense, mixed-use and pedestrian-oriented urban form.
Relevant Area Plan(s)	<i>East-Northeast Area Plan Update (2015) and East End Master Plan (2018)</i>
Area Plan Recommendations	<p>The <i>East-Northeast Area Plan Update</i> recommends the following:</p> <ul style="list-style-type: none"> Mixed-use development for the entire site; and Redevelopment of the area with a mixture of multifamily residential (to possibly include apartments, condominiums, and townhouses) to offer a more affordable option for people working in the Innovation Quarter. <p>The <i>East End Master Plan</i> recommends the following:</p> <ul style="list-style-type: none"> Residential development with mixed-income housing; Strengthening the neighborhood’s residential character through a mix of new single-family homes, duplexes and townhouses, as well as a range of new multifamily apartments that fill in empty lots or replace older buildings or housing complexes; Creating small, walkable blocks; Placing buildings close to or at the sidewalk to reinforce street edges; Locating parking behind buildings; Lining public streets and parks with buildings and front doors to put ‘eyes on the street’; Clearly defining public and private spaces; Making streets that balance pedestrian, bike, car and transit needs; and Mixing compatible land and building uses to generate activity throughout the day, evening and weekend.
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	<p>The site is located within the East Winston Activity Center. Specific recommendations are as follows:</p> <ul style="list-style-type: none"> Add more concentrated development by retrofitting and redeveloping existing sites and bringing new mixed-use development to the area. Create pedestrian-friendly character through development and redevelopment of properties by making sure buildings and streets are designed for pedestrian comfort.

	<ul style="list-style-type: none"> • Locate buildings closer to the street to create an interesting and inviting public/private streetscape and locate parking to the rear or side of buildings to de-emphasize vehicles.
Other Applicable Plans and Planning Issues	<p>The subject property is located within the Choice Neighborhoods boundary. Choice Neighborhoods is a HUD-funded program focused on three goals:</p> <ol style="list-style-type: none"> 1. <i>Housing</i> Replace distressed public and assisted housing with high-quality mixed-income housing that is well-managed and responsive to the needs of the surrounding neighborhood. 2. <i>People</i> Improve outcomes of households living in the target housing related to employment and income, health, and children's education. 3. <i>Neighborhood</i> Create the conditions necessary for public and private reinvestment in distressed neighborhoods to offer the kinds of amenities and assets, including safety, good schools, and commercial activity, that are important to families' choices about their community.
Addressing	Street names for the new internal driveways have been approved for use.
Rezoning Consideration from Section 3.2.15 A 13	Have changing conditions substantially affected the area in the petition?
	GMA 1 was extended east of US 52 to include the subject property in 2018.
	Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The request is to rezone a 7.22-acre assemblage of developed properties from RM18 and RMU to PB-S. The request includes 325 residential units, approximately 30,000 square feet of office space, and 9,500 square feet of other commercial space.</p> <p>In addition to having been added to GMA 1 recently, the site is served by multiple transit lines and is in close proximity to US 52, the Innovation Quarter, Martin Luther King Jr. Drive, and Winston-Salem State University. It is well positioned for denser, mixed-use redevelopment. <i>Legacy</i> recommends development with a pedestrian-oriented urban form in GMA 1, and this request is consistent with that recommendation because it would create greater land use flexibility and allow a residential density upwards of 45 units per acre.</p> <p>Similarly, the proposal is also consistent with the <i>East-Northeast Area Plan</i> and the <i>East End Master Plan</i>. The new buildings are shown fronting on existing streets, with parking located on those streets and behind the proposed buildings. Urban building placement and</p>

complementary architecture can help to create the ‘eyes on the street’ pedestrian-friendly streetscape envisioned in the adopted plans.	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request would increase the density on a site that has been zoned and developed for multifamily dwellings for many years.	The proposed new construction would result in the loss of several mature street trees, which contribute to the pedestrian-oriented character of the area.
The site is located within the Center City GMA and is well served by sidewalks, transit, and multiple public streets with ample capacity.	
The request would introduce the potential for a mixture of uses.	The request may lead to additional redevelopment pressure on nearby properties.
The request is consistent with the recommendations of <i>Legacy</i> , the <i>East-Northeast Area Plan</i> , and the <i>East-End Master Plan</i> .	
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL	
<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 ANY PERMITS:</u> <ul style="list-style-type: none"> a. If public funds are used, the developer shall obtain all necessary permits from the North Carolina Department of Environmental Quality (NCDEQ) and the Division of Energy, Mineral, and Land Resources (DEMLR). • <u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u> <ul style="list-style-type: none"> a. The 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. 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. Required improvements include: <ul style="list-style-type: none"> • Dedication of right-of-way a minimum of forty (40) feet from the center line of East Third Street, East Fourth Street, and East Fifth Street; • Provision of a six (6) foot by fifteen (15) foot concrete pad for future bus stop shelters at the two existing stop locations; and • Installation of high-visibility crosswalks at multiple locations as shown on the site plan. • <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. The developer shall complete all requirements of the driveway permits.
 - b. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.

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-3463
MARCH 11, 2020**

Desmond Corley presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

SECOND: 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 zoning petition.

SECOND: Jason Grubbs

VOTE:

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

AGAINST: None

EXCUSED: None

Aaron King
Director of Planning and Development Services