

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket	W-3535		
Staff	Amy McBride		
Petitioner(s)	Cannady Investments, LLC and Dana Minton		
Owner(s)	Same		
Subject Property	PINs 6805-71-3042 and 6805-70-1977		
Address	4523 and 4527 Country Club Road		
Type of Request	Special Use rezoning		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential, Single-family – 9,000 sf minimum lot size) to RM12-S (Residential, Multifamily – up to 12 units/acre – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> Residential Building, Townhouse; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Multifamily; and Cottage Court 		
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.		
Zoning District Purpose Statement	The RM12 District is primarily intended to accommodate multifamily uses at a maximum overall density of twelve (12) units per acre. This district is appropriate for Growth Management Areas 1, 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.		
Rezoning Consideration from Section 3.2.19 A 16	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes, the request proposes a multifamily residential density of less than twelve (12) units per acre, and the site is located within GMA 3 along a major thoroughfare.		
GENERAL SITE INFORMATION			
Location	North side of Country Club Road, west of Kilpatrick Street		
Jurisdiction	Winston-Salem		
Ward(s)	West		
Site Acreage	± 2.02 acres		
Current Land Use	Each parcel contains a single-family home and associated accessory structures.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS9	Single-family homes
	South	LO-S and NO	Commercial offices
	East	LO-S	Commercial offices
	West	GO-S	Masonic temple

Rezoning Consideration from Section 3.2.19 A 16	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	The proposed multifamily use is compatible with the uses permitted on the adjoining properties to the east, west, and across Country Club Road. The use is less compatible with the single-family homes abutting the property to the north.					
Physical Characteristics	The northwestern portion of the site is its lowest point. This part of the subject property is fairly wooded, and there are several large hardwood trees around the house at 4523 Country Club Road.					
Proximity to Water and Sewer	Public water and sewer can be accessed from Country Club Road.					
Stormwater/ Drainage	The site plan shows an underground stormwater control measure in the northwestern portion of the site. This development will be required to apply for and be issued a post-construction stormwater management permit demonstrating compliance with the applicable provisions of Winston-Salem’s stormwater ordinance. Stormwater review staff will also recommend management of the 50-year peak volume as a condition of rezoning approval to provide a higher level of protection for downstream property owners.					
Watershed and Overlay Districts	The site is not located within a water supply watershed or overlay district.					
Analysis of General Site Information	The subject property is developed with two single-family homes. The site has generally favorable topography with several large hardwoods throughout and access to public water and sewer from Country Club Road. Site conditions are favorable for redevelopment.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3165	RS9 & LO-S to GO-S	Approved 3/4/2013	Directly west	2.68	Approval	Approval
W-2550	RS9 to NO	Approved 7/15/2002	Directly south	.71	Approval	Approval
W-2329	RS9 to LO-S	Approved 7/6/1999	Directly east	1.93	Denial	Denial
W-1957	RS9 to LO-S	Approved 3/6/1999	60 feet southeast	3.38	Denial	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Country Club Road	Major Thoroughfare	450 feet	16,000	15,800		
Proposed Access Point(s)	The development will have two access points from Country Club Road.					
Proposed Road Improvements	The site plan proposes right turn lanes at each entrance on westbound Country Club Road.					

Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RS9</u> ± 2.02 acres / 9,000 sf = 9 homes x 9.57 (single-family trip rate) = 86 trips per day</p> <p><u>Proposed Zoning: RM12-S</u> 24 units x 6.65 (apartment trip rate) = 159 trips per day</p>		
Sidewalks	There are existing sidewalks along both sides of Country Club Road, and the proposed development will connect the sidewalk along the north side of Country Club Road extending from the adjacent parcels on either side.		
Transit	WSTA Route 95 serves the intersection of Country Club Road and Kilpatrick Street approximately 250 feet northeast of the site.		
Transportation Impact Analysis (TIA)	A TIA is not required.		
Analysis of Site Access and Transportation Information	The site has frontage along a major thoroughfare that exceeds current capacity. The site plan proposes two access points from Country Club Road with right turn lanes at each entrance on westbound Country Club Road. Estimated traffic generation is higher than what could be expected under the current zoning.		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	4,056		Multiple locations (see site plan)
Units (by type) and Density	24 apartment units on 2.02 acres = 11.89 units per acre		
Parking	Required	Proposed	Layout
	38 spaces	43 spaces	90-degree head-in, in front of the proposed buildings
Building Height	Maximum		Proposed
	45 feet		Two-story buildings
Impervious Coverage	Maximum		Proposed
	75 percent		61.3 percent
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 4.5.13: RM12 Residential, Multifamily District • Section 5.2.71: Residential Building, Multifamily (use-specific standards) 		
Complies with Section 3.2.11	(A) Legacy 2030 policies:	Yes	
	(B) Environmental Ordinance	N/A	
	(C) Subdivision Regulations	N/A	

Analysis of Site Plan Compliance with UDO Requirements	The proposed site plan shows four two-story multifamily apartment buildings surrounding a common green space, with parking directly in front of the proposed buildings. New sidewalks will connect the existing sidewalks to either side of the subject property along the Country Club Road frontage. The petitioner is requesting alternative compliance for the required Type II bufferyard along property boundaries shared with properties in single-family residential zoning districts. Specifically, they propose a 10-foot bufferyard with a six-foot opaque brick wall/fence along the northern property boundary. The proposed plan is otherwise compliant with UDO standards.
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"> • Encourage a mixture of residential densities and housing types through land use recommendations. • Concentrate development within the serviceable land area with the highest densities at City/Town Centers, Activity Centers and along Growth Corridors.
Relevant Area Plan(s)	<i>West Suburban Area Plan Update (2018)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • Develop a variety of housing types for different income levels, family sizes, and personal preferences. • The plan recommends Office development for this site.
Site Located Along Growth Corridor?	The site is located along the Country Club Road Growth Corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Comprehensive Transportation Plan Information	The plan recommends Country Club Road to have curb and gutter with wide outside lanes and sidewalks on both sides.
Other Applicable Plans and Planning Issues	<p>The Country Club Road Growth Corridor guidelines recommend new commercial, office, and multifamily uses have an urban form between Kilpatrick Street to west of Queensbury Road near Jonestown Road and Old Vineyard Road.</p> <p>Urban form growth corridors generally include buildings located close to the street and parking to the rear and side of buildings to encourage pedestrian-friendly spaces.</p>
Addressing	Addresses will be assigned during construction permitting.

Rezoning Consideration from Section 3.2.19 A 16	Have changing conditions substantially affected the area in the petition?
	No.
	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 2.02-acre tract from RS9 to RM12-S to accommodate 24 apartment units. The proposed density would be 11.89 dwelling units per acre.</p> <p>The proposed layout would include four two-story multifamily apartment buildings surrounding a common green space. While most of the existing trees are proposed to be removed, the proposed plan shows several large specimen oak trees to be incorporated into the design. An opaque brick wall/fence will also be installed along the northern property boundary to reduce visual impacts to adjoining properties in the nearby neighborhood.</p> <p>Although the area plan recommendation is for offices at this location, <i>Legacy</i> and the area plan provide general recommendations for incorporating a mix of land use types within redevelopment areas. This site is in an area that has experienced commercial redevelopment over the last 20 years, largely from residential use to office and institutional uses. Given the proposed design, proximity to transit, and availability of infrastructure, staff is supportive of this request.</p>
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed rezoning is in keeping with the larger goals of <i>Legacy</i> regarding redevelopment and mixing land use types.	The request is not consistent with the office use recommendation of the area plan.
The request will increase the variety of housing types available in the area.	
The proposed design and elevations are compatible with the character of the area.	The request will increase traffic on a thoroughfare that currently exceeds capacity.
The proposed design is in keeping with the design guidelines along this growth corridor.	

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
 - 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. In addition to meeting all post-construction stormwater management ordinance design standards for quality and quantity, the plan must also manage the 50-year peak storm event. Relocation or installation of any stormwater management device into any buffer areas, vegetated areas designated to remain, or in close proximity to adjacent land with residential zoning 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 and NCDOT; additional improvements may be required prior to issuance of the driveway permit(s). Required improvements include:
 - Installation of right turn lanes at both entrances and
 - Installation of sidewalk along the entire Country Club Road frontage with curb ramps where required.
- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
 - a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.
- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
 - a. The developer shall complete all requirements of the driveway permit(s).
 - b. The developer shall install the opaque brick wall/fence and plantings in accordance with the plan for alternative compliance for the required bufferyard along the northern property boundary.

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-3535
JULY 14, 2022**

Desmond Corley presented the staff report.

Melynda asked whether there are any planned solutions for the road capacity issues, or if capacity problems are expected to persist. Desmond responded that the Comprehensive Transportation Plan does not recommend anything more than the current cross section (five lanes with a central turn lane for this area). This request does propose adding turn lanes into the property. There are not any remedies that are in the works or planned for the capacity issue. George Bryan noted there was a comment in the staff report about drainage. These parking lots and buildings are going to be draining to an underground storm drain, which will then travel down to the neighbor's property at the bottom of the hill. Water is all going to converge at one place after it rains and will spread out all over people's lawns. Does the developer have any remedy for this? Desmond responded that he was not aware of any remedy, but the developers are here to discuss this. Clarence Lambe mentioned that stormwater regulations provide for quantity and quality management. Desmond concurred and added that a condition of approval is to manage the fifty-year storm event. Mo McRae advised that water is going to travel everywhere if you measure for a hundred years. It is going to go to the lowest point regardless of what we do to treat it. The fact that it is going underground first is highly beneficial to those neighbors, because water will go underground first and will only spill over to their property should it rise to a certain level.

Scott Miller, representative for the project, indicated that all stormwater will be going directly underground and will be released at the location where that water currently runs. We are not changing the location of where the property drains. The developer has agreed to increase the usual 25-year storm water management requirement to fifty years. The developer wants to be a good neighbor, although the stormwater system has not been designed yet. They will do everything they can to spread drainage at the rear of the site so it does not have a single point of discharge. When the water comes out of the stormwater device, it will run into a level spreader to spread it out over a wider area compared to a single point discharge.

George Bryan added that water runs out different ways and eventually makes it to the creek at the bottom of the site. Consolidating it into stormwater devices means it is all going to come out of a pipe. It sounds like the developer have a plan to spread stormwater out and that may help, but we have a deficit in our ordinances by not requiring protection for downhill property owners. I hope you will be sensitive to those neighbors and work with them to be sure they do not get mud and water in their yards. Scott responded that a meeting with neighbors had taken place and that issue had been discussed. The developer will be keeping significant vegetation at the rear of the property because that area is not very useable. Stormwater will not be released at the property

line, but will be released at least 30 feet back. Jack interjected that he is familiar with the developer's work, and it is exemplary.

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: George Bryan, Melynda Dunigan, Walter Farabee, 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: George Bryan, Melynda Dunigan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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