

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>			
<b>Docket</b>	W-3453		
<b>Staff</b>	<a href="#">Gary Roberts, Jr., AICP</a>		
<b>Petitioner(s)</b>	Jamais Arriere, LLC		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	Portion of PIN 6829-22-2057		
<b>Address</b>	The site does not currently have an address assignment.		
<b>Type of Request</b>	Special Use rezoning from RS9 and LB to RM8-S		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> RS9 (Residential, Single Family – 9,000 sf minimum lot size) and LB (Limited Business) <b>to</b> RM8-S (Residential, Multifamily - 8 units per acre maximum density – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Residential Building, Multifamily; Residential Building, Duplex; Residential Building, Twin Home; and Residential Building, Townhouse</li> </ul>		
<b>Neighborhood Contact/Meeting</b>	A summary of the petitioner’s neighborhood outreach is attached.		
<b>Zoning District Purpose Statement</b>	The RM8 District is primarily intended to accommodate duplexes, twin homes, townhouses, multifamily, and other low intensity multifamily uses at a maximum overall density of eight (8) units per acre. This district is appropriate for GMAs 2 and 3 and may be suitable for Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services are available.		
<b>Rezoning Consideration from Section 3.2.15 A 13</b>	<p><b>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>The request proposes a multifamily residential density of less than eight (8) units per acre, and the site is located within GMA 3 along a major thoroughfare.</p>		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	West side of University Parkway, north of Sun View Road		
<b>Jurisdiction</b>	Winston-Salem		
<b>Ward(s)</b>	Northeast		
<b>Site Acreage</b>	± 5.34 acres		
<b>Current Land Use</b>	A single-family home is located on the front portion of the site adjacent to University Parkway.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	RS9, RM12-S, and LB	Multi-family residential and undeveloped property
	East	RS9 and LB	Single-family homes
	South	RM18	Multi-family residential and a single-family home

	West	RM12-S	Driveway for multi-family residential			
<b>Rezoning Consideration from Section 3.2.15 A 13</b>	<b>Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>					
	Given the zoning and development pattern surrounding the site, the proposed residential uses are compatible with the uses permitted on the adjacent properties.					
<b>Physical Characteristics</b>	The majority of the site is heavily wooded and traversed by a small stream. Some moderately steep slopes are located in the western portion.					
<b>Proximity to Water and Sewer</b>	Public water and sewer exists beneath University Parkway.					
<b>Stormwater/ Drainage</b>	Two stormwater management facilities are proposed for the central portion of the site. A stormwater management study will be required.					
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed.					
<b>Analysis of General Site Information</b>	The site is relatively long and narrow and currently has dual zoning. It is traversed by a small stream and includes some degree of challenging topography. However, it is not located within a designated floodplain or water supply watershed.					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2995	RS9 to RM12-S	Approved 10/6/2008	Directly west and north	11.7	Approval	Approval
W-2954	RS9 to LB-L	Approved 10/1/2007	175 feet northeast	.89	Approval	Approval
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
University Parkway	Boulevard	45 feet	21,000	38,100		
<b>Proposed Access Point(s)</b>	The development will have one access from University Parkway.					
<b>Proposed Road Improvements</b>	The <i>Comprehensive Transportation Plan</i> recommends a six-lane cross section for this length of University Parkway with a raised median, wide outside lanes, curb, gutter, and sidewalks on both sides.					
<b>Trip Generation - Existing/Proposed</b>	<u>Existing Zoning: RS9 portion</u> ±5 acres / 9,000 sf = 24 homes x 9.57 (single-family trip rate) = 230 trips per day					
	<u>Proposed Zoning: RM8-S</u> 38 units x 6.65 (apartment trip rate) = 253 trips per day					

<b>Sidewalks</b>	There are no sidewalks this far north along University Parkway. Sidewalk will be required along the narrow frontage of University Parkway, and the developer has agreed to provide a lateral sidewalk connection along the driveway.		
<b>Transit</b>	WSTA Route 97 serves Hanes Mill Road approximately 1,750 feet south.		
<b>Transportation Impact Analysis (TIA)</b>	A TIA is not required.		
<b>Analysis of Site Access and Transportation Information</b>	Access to the site is proposed from University Parkway, which is a four-lane road with ample capacity. Transit is available farther south at Hanes Mill Road. The developer has agreed to provide improvements to facilitate turning movements at the development entrance. To provide enhanced circulation in the general area, staff recommends a driveway stub be provided to the undeveloped property to the north. The developer has chosen not to include this connection due to topographic constraints in this area.		
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>			
<b>Units (by type) and Density</b>	38 apartment units on 5.34 acres = 7.11 units per acre		
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>	<b>Layout</b>
	67 spaces	86 spaces	90-degree head-in, adjacent to the proposed buildings
<b>Building Height</b>	<b>Maximum</b>		<b>Proposed</b>
	45 feet		Two stories
<b>Impervious Coverage</b>	<b>Maximum</b>		<b>Proposed</b>
	70 percent		42.27 percent
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Section 4.5.12: RM8 Residential, Multifamily District</li> <li>Section 5.2.70: Residential Building, Multifamily (use-specific standards)</li> </ul>		
<b>Complies with Section 3.2.11</b>	<b>(A) Legacy 2030 policies:</b>	Yes	
	<b>(B) Environmental Ord.</b>	N/A	
	<b>(C) Subdivision Regulations</b>	N/A	
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	The site plan shows five, two-story apartment buildings fronting along two new internal private streets. Because the project consists of fewer than 40 units, no common recreation area is required. However, an 8,900-square foot playground is proposed in the central portion of the site adjacent to the mail kiosk. A combination of bufferyards are shown around the perimeter of the proposed development.		
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>			
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 3 - Suburban Neighborhood		

<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>Encourage quality infill development on vacant land and redeveloped sites with an emphasis on conforming to the neighborhood’s existing character and scale.</li> <li>Increase infill development within the Municipal Services Area.</li> <li>Facilitate land use patterns that offer a variety of housing choices.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>North Suburban Area Plan Update (2014)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>The plan recommends intermediate-density (8.1-18 DU/Ac) residential development for this site.</li> </ul>
<b>Site Located Along Growth Corridor?</b>	The site is not located along a growth corridor.
<b>Site Located within Activity Center?</b>	No; however, the site is located just north of the University/Hanes Mill Activity Center.
<b>Addressing</b>	Shrewsbury Lane and Shrewsbury Court have been approved by MapForsyth.
<b>Rezoning Consideration from Section 3.2.15 A 13</b>	<b>Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>Is the requested action in conformance with Legacy 2030?</b>
	Yes
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>The request is to rezone a 5.34-acre tract from RS9 and LB to RM8-S to accommodate 38 apartment units. <i>Legacy</i> recommends a variety of housing types and infill development, provided designs are compatible with the general context and character of the surrounding area. The request is consistent with this recommendation because the site is not within a single-family neighborhood setting.</p> <p>While staff is of the opinion that incorporating more of the underutilized land to the north would result in a more cohesive development, the proposed unit count is significantly lower than what is recommended in the area plan, as well as what is currently seen in the development directly south of the subject property.</p>
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>	
<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The proposal is in line with the recommendations of the <i>North Suburban Area Plan Update</i> and <i>Legacy</i> .	The proposed site plan does not include connectivity to adjacent properties.
The site is adjacent to other multifamily development.	
The proposal would not encroach on existing single-family neighborhoods.	
University Parkway has ample capacity.	

#### **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 THE ISSUANCE OF GRADING PERMITS:**
  - a. 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. 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:
    - Dedication of seventy-five (75) feet of right-of-way from the centerline of University Parkway;
    - Installation of a left-turn lane and a right slip lane along University Parkway, each with a minimum of fifty (50) feet of storage at the development entrance; and
    - Installation of a six (6) foot wide sidewalk along University Parkway.
- **PRIOR TO THE 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 THE ISSUANCE OF OCCUPANCY PERMITS:**
  - a. Developer shall complete all requirements of the driveway permit(s).
  - 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-3453  
AUGUST 26, 2020**

Desmond Corley presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

Melynda asked whether it was possible to get connectivity into the site. Gary stated that while connectivity was a concern, it was not feasible based on the topography.

George stated that there were two stub streets in Arbor Ridge and asked what the original intent was of the development of that property for those stub streets. Aaron replied that Arbor View Lane is a public street that stubs to the east and west; to the west, there is a stream, and the stub to the east was intended to provide some connectivity to the area that is bound between Ziglar Road and University Parkway. In that case, staff felt the topography was suitable enough that the stubs would work; in this case, the topography and the small nature of the site made that more challenging.

George asked about the intended raised median on University Parkway. Jeff Fansler, with WSDOT, stated that there was a proposed median on University Parkway but that he did not believe it went all the way to Sun View Road. George stated that it was difficult to make a left turn onto University Parkway from the site and asked if there were some way for the entrance to be adjusted to accommodate traffic. Jeff stated that it would be a matter of working with NCDOT and the project developer to see how to incorporate safety improvements with the larger NCDOT project. Sun View Road and this parcel access would be problematic because there are other parcels involved that are unrelated to the site. The opportunity lies with coordinating egress and access with the NCDOT project. It is possible to rectify the problem in the early design stages of the plan.

George referenced the cul-de-sac behind Arbor View Lane and inquired as to whether WSDOT and staff had looked at that as a potential site for a stub. Aaron stated that the challenge in that was the configuration of the long, narrow shape of the subject property.

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

SECOND: Brenda Smith

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Brenda Smith

VOTE:

FOR: Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Brenda Smith, Jack Steelman

AGAINST: George Bryan

EXCUSED: None

---

Aaron King  
Director of Planning and Development Services