

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3623
Staff	Rory Howard
Petitioner(s)	Branch Building 500, LLC and Goldwater Holdings, LLC
Owner(s)	Same
Subject Property	PIN(s) 6835-67-7602 and 6835-67-7406
Address(es)	1300 East Fifth Street and 1303 East Fourth Street
Type of Request	Special Use Rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from LO-S (Limited Office - Special Use) and RS7 (Residential, Single-Family - 7,000 square foot minimum lot size) to PB- S (Pedestrian Business - Special Use Rezoning). The petitioner is requesting the following uses:</p> <p>Residential Building Multifamily; Residential Building, Townhouse; Arts and Crafts Studio; Food or Drug Store; Offices; Restaurant (Without Drive-Through Service); Retail Store; Banking and Financial Services; Services A; Recreation Services, Indoor; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; and Museum or Art Gallery.</p>
Neighborhood Contact/ Meeting	A summary of the petitioner’s neighborhood outreach is attached.
Zoning District Purpose Statement	<p>The PB District is primarily intended to accommodate office, retail, service, institutional, and high-density residential uses which 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 GMAs 1, 2 and 3.</p>

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 requested district is consistent with this site's location in GMA 1. The site plan demonstrates pedestrian-oriented design, and the site has excellent access to multimodal transportation options.		
GENERAL SITE INFORMATION			
Location	The site is located on east side of North Laura Wall Boulevard, between East Fourth Street and East Fifth Street.		
Jurisdiction	Winston-Salem		
Ward(s)	East		
Site Acreage	± 1.16 acres		
Current Land Use	The site contains an existing office building on the northern portion of the property that was previously used as a bank. The southern portion of the site contains additional parking area and an undeveloped RS7-zoned parcel to the east.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	HB MLKO	Offices and a shopping center
	South	LO and HB-S	Services A and single-family homes
	East	RS7 and RS7 MLKO	Motor vehicle repair and maintenance, single-family homes, and a neighborhood-scale church
	West	LO and PB-L	Single-family homes and a restaurant without drive-through service
Physical Characteristics	The site is generally flat, with most of the area being developed. The undeveloped RS7 parcel is largely grass with some trees bordering the existing parking area.		
Proximity to Water and Sewer	Public water and sewer are available to the site along all street frontages. The proposed site plan illustrates proposed water and sewer connections on North Laura Wall Boulevard.		
Stormwater/ Drainage	There are no proposed stormwater or drainage devices proposed on the site. There are no known stormwater or drainage issues anticipated with this request.		
Watershed and Overlay Districts	The site is not located within a water supply watershed.		
Analysis of General Site Information	The site is generally flat and is surrounded by a mixture of single-family homes, and various business and institutional uses. There are no known development constraints such as steep slopes, watershed areas, or floodplains.		

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3463	RM18 and RMU to PB-S	Approved 4/5/2021	West	7.22	Approval	Approval
W-3252	LO to PB-L	Approved 4/6/2015	West	0.15	Approval	Approval
W-3065	RS7 to PB-L	Approved 7/19/2010	East	0.34	Approval	Approval
W-1963	LO-S to LO-S	Approved 6/5/1995	Portion of site	0.97	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Street Maintenance	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
East Fourth Street	Major Thoroughfare	WSDOT	127 feet	2,200	13,800	
East Fifth Street	Major Thoroughfare	WSDOT	198 feet	4,100	15,800	
North Laura Wall Boulevard	Local Street	WSDOT	304 feet	N/A	N/A	
Proposed Access Point(s)	The site is proposed to be accessed from North Laura Wall Boulevard and East Fifth Street via two driveway entrances located in the northern portion of the site.					
Trip Generation - Existing/ Proposed	<p><u>Existing Zoning: LO-S and RS7</u> One potential Single-Family Residential dwelling x 9.57 (Single-Family Detached Housing Trip Rate) = 9.57 Trips per Day</p> <p>4,300sf /1,000 x 11.01 (General Office Building Trip Rate) = 47.34 Trips per Day</p> <p>Total: 56.91 Trips Per Day</p> <p><u>Proposed Zoning: PB-S</u> Six Proposed Townhomes x 5.81 (Residential Condominium/Townhouse Trip Rate) = 34.86 Trips Per Day</p> <p>2,150sf/1,000 x 54.45 (General Retail Store Trip Rate) = 117.07 Trips Per Day</p> <p>2,150sf/1,000 x 1.94 (Nail Salon/Barber Shop Peak Hour Rate) = 4.171 Trips Per Day</p>					

	1,565 sf/1,000 x 97.14 (High Turnover (Sit-Down) Restaurant Trip Rate) = 152.02 Trips Per Day		
	Total: 308.12 Trips Per Day		
Sidewalks	There is existing sidewalk along the entirety of the site frontage along East Fifth Street, East Fourth Street, and North Laura Wall Boulevard.		
Transit	WSTA Routes 1 and 17 stop at the corner of East Fourth Street and North Martin Luther King Jr. Drive, approximately 330 feet east of the site. WSTA Routes 86, 94, 105, and 110 stop at the intersection of East Fifth Street and north Martin Luther King Jr. Drive, approximately 150 feet east of the site.		
Connectivity	The site plan shows the required pedestrian connection to North Laura Wall Avenue and East Fifth Street. However, the petitioner has not proposed an additional pedestrian connection to East Fourth Street, which could provide easier access to the WSTA transit stop and other destinations along Martin Luther King Jr. Drive.		
Analysis of Site Access and Transportation Information	The site has direct access to major thoroughfares and multimodal transportation options. Although the request would generate additional traffic, there is ample capacity along East Fifth and East Fourth Streets to accommodate any additional traffic.		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	6,000sf proposed townhouse building; 5,885sf existing commercial building		A commercial building exists on the northern portion of the site; A townhome building is proposed for the southern portion of the site
Parking	Required	Proposed	Layout
	27 (with allowed reductions)	34	20 head-in parking spaces adjacent to the commercial building; 14 head-in spaces adjacent to the townhomes
Building Height	Maximum		Proposed
	60'		40'
Impervious Coverage	Maximum		Proposed
	Unlimited		69%
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 4.6.6: PB Pedestrian Business District • Section 5.2.71: Residential Building, Townhouse Use Specific Standards • Section 5.2.73: Retail Store Use Specific Standards • Chapter 6: Development Standards 		

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 illustrates a six-unit, two-story townhome building with a total footprint of 6,000 square feet, and associated parking area in addition to an existing one-story, 5,885 square foot building that is to be redeveloped for commercial uses.</p> <p>The new townhome building meets all GMA 2 requirements for front entrance orientation and grade separation from the sidewalk. The site plan shows all required sidewalk connections, the required bufferyard along the eastern boundary of the site, and meets UDO requirements.</p>	
CONFORMITY TO PLANS AND PLANNING ISSUES		
Legacy 2030 Growth Management Area	Growth Management Area 1 – City/Town Centers	
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Encourage infill development, which can provide housing, decrease sprawl, and keep the urban area more viable. • A mix of housing types in neighborhoods provides housing choices and more equitable access to services for people of all income levels and generations. • Concentrate development within the serviceable land area of Forsyth County, with the highest intensities at city/town centers, activity centers, and along growth corridors. • Apply traditional, walkable neighborhood design principles and standards to existing neighborhoods and neighborhood commercial areas. 	
Relevant Area Plan(s)	<i>East-Northeast Winston-Salem Area Plan Update (2015)</i>	
Area Plan Recommendations	<ul style="list-style-type: none"> • The Proposed Land Use Map recommends office uses for this property. • Concentrate development in the area by retrofitting and redeveloping existing sites and by bringing new mixed-use development to the area. • Continue providing a variety of housing types for different income levels, family sizes, and personal preferences in the planning area to offer a mixture of housing opportunities. 	
Site Located Along Growth Corridor?	The site is not located along a growth corridor.	
Site Located within Activity Center?	The site is within the East Winston Activity Center.	

<p>Other Applicable Plans and Planning Issues</p>	<p>This site lies also within the study area of the <i>East End Master Plan</i>, which was adopted by City Council in 2018. The plan generally calls for contextually-sensitive redevelopment of this area to provide for neighborhood-serving businesses with a pedestrian-friendly character. The plan calls for a mixture of commercial land uses on the northern portion of the subject property, and infill detached dwellings on the southern portion of the site.</p>
<p>Rezoning Consideration from Section 3.2.19 A 16</p>	<p>Have changing conditions substantially affected the area in the petition?</p>
	<p>Yes. The rezoning and recent development of Metropolitan Village to the west (zoned PB-S) and the recommendations of the <i>East End Master Plan</i> and <i>East-Northeast Winston-Salem Area Plan Update</i> have led to increased development pressure in this area.</p>
	<p>Is the requested action in conformance with <i>Legacy 2030</i>?</p>
<p>Analysis of Conformity to Plans and Planning Issues</p>	<p>The request is to rezone a 1.16-acre site from RS7 and LO-S to PB-S to allow for the construction of a six-unit townhome building and the redevelopment of an existing office building. The site is located within GMA 1 with frontage along two major thoroughfares and excellent access to multimodal transportation.</p> <p>The request is generally consistent with the recommendations of <i>Legacy 2030</i>. The <i>East-Northeast Winston-Salem Area Plan Update</i> recommends office uses for the property in recognition of the current use of the property. The <i>East End Master Plan</i> recommends neighborhood serving commercial uses along the East Fifth Street frontage of the site and single-family detached infill development on the southern portion of the site along East Fourth Street. Staff believes this request would provide needed “missing middle” housing and neighborhood-serving commercial uses within a pedestrian-friendly urban development.</p>
<p>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</p>	
<p>Positive Aspects of Proposal</p>	<p>Negative Aspects of Proposal</p>
<p>The request is consistent with the general recommendations of <i>Legacy 2030</i>, the <i>East End Master Plan</i>, and the <i>East-Northeast Winston-Salem Area Plan Update</i>.</p>	<p>The request includes residential uses, although the <i>East-Northeast Winston-Salem Area Plan Update</i> recommends office use for the entire property,</p>
<p>The request will provide additional housing opportunities in the serviceable land area at a location with multimodal transportation access.</p>	
<p>The request would provide pedestrian-friendly commercial development within the urban core.</p>	

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 ANY PERMITS:**
 - a. The permitted land uses shall be limited to Residential Building, Multifamily and Residential Building, Townhouse for the portion of the property beginning 165 feet south of the northern property line and extending to the southern property line.

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall obtain a driveway permit from the City of Winston-Salem. Additional improvements may be required prior to the issuance of the driveway permit.

- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
 - a. Developer shall record a tentative plat in the office of the Register of Deeds for the purpose of establishing a private street name and address points. The plat shall show tentative building locations and all access and utility easements.
 - b. Proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.
 - c. Developer shall record a plat in the office of the Register of Deeds. The plat shall show tentative building locations and all access and utility easements.
 - d. Developer shall provide a tentative building location plat so that private street names and address points can be established.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
 - a. Developer shall complete all requirements of the driveway permit.
 - 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-3623
JUNE 13, 2024**

Bryan Wilson presented the staff report.

Mr. Steelman inquired how staff defined the northern section of the rezoning request, to which Mr. Murphy explained that it was the part of the site starting at the northern property line and extending 165 feet to the south.

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: Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae,
Salvador Patiño, Lindsey Schwab, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

FOR: Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae,
Salvador Patiño, Lindsey Schwab, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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