

Resolution #24-0161  
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**RESOLUTION REVISING DEVELOPMENT REQUIREMENTS BY INFILL  
DELICATE LLC AT THE OLD COMMONS OF FORSYTH COUNTY PROPERTY  
(NOW KNOWN AS THE HEIGHTS)**

**WHEREAS**, in June 2021, Infill Delicate, LLC (the “Developer”) purchased the old SECU Commons Property from The Commons of Forsyth County, Inc., which is located in the Northeast Ward near the intersection of Reidsville Road and Old Greensboro Road; and

**WHEREAS**, on November 14, 2022, the Mayor and City Council passed two Resolutions to assist the Developer in its redevelopment efforts; and

**WHEREAS**, the first resolution authorized the City to subordinate a preexisting \$400,000 permanent loan on the portion of the property that previously contained 20 single-room occupancy units to allow the Developer to convert those 20 units into ten apartment units (seven studio units, two one-bedroom units, and one two-bedroom unit). The Developer anticipated two of those units being set aside for households from 50%-60% AMI, two units for 80-120% AMI, and the remaining six units for >120% AMI; and

**WHEREAS**, the second resolution authorized the City to loan \$290,000 to the Developer to aid in the construction of 12 new rental cottages containing either one or two bedrooms with community amenities. Of those 12 units, the Developer proposed setting aside two units for Section 8 vouchers, five units for households up to 80% AMI, and the remaining five units for households up to 120% AMI; and

**WHEREAS**, the parcels for the cottage units and apartment units were separately platted, and the aforementioned affordability restrictions were to be recorded and apply to each respective parcel; and

**WHEREAS**, as the Developer began construction, the site plan, topography, and required stormwater retention device necessitated a change in the plans for such that only 11 cottages can now be built; and

**WHEREAS**, the Developer was able to build 11 one-bedroom apartment units instead of 10 as originally planned in the single-room occupancy parcel; and

**WHEREAS**, the Developer is requesting that the City amend the requirement in the November 14, 2022 resolution to reduce the number of cottage units required to be built from 12 to 11; and

**WHEREAS**, the Developer is further requesting that the City merge the affordability requirements so that there will now be only one set of restrictive covenants recorded across both the parcels for the cottage units and apartment units; and

**WHEREAS**, the Developer has pledged to keep the number of Section 8, affordable, workforce, and market rate units the same.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Winston-Salem hereby authorize Infill Delicate, LLC to build 11 cottage units instead of 12; and

**BE IT FURTHER RESOLVED** that the Developer will still be required to build 22 rental units in total (consisting of 11 apartment units and 11 cottage units), as originally planned; and

**BE IT FURTHER RESOLVED** that affordability restrictions may be recorded as restrictive covenants across both the parcels for the cottage units and apartment units, which will require Infill Delicate, LLC to set aside (i) two of the 22 total units for Section 8 vouchers, (ii) seven of the 22 total units for households earning up to 80% of the area median income, and (iii)

**Winston-Salem City Council**  
**APPROVED**  
**April 15, 2024**

seven of the 22 total units for households earning up to between 81% and not more than 120% of the area median income; and

**BE IT FURTHER RESOLVED** that the Mayor and City Council authorize Restrictive Covenants to ensure that the property is used for affordable and workforce housing.

**BE IT FURTHER RESOLVED** that the Mayor and City Council authorize the City Manager to execute documents consistent with the resolution, including amendments to any existing documents regarding this matter, with the City Attorney approving such agreements as to form and legality.