

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3497
<b>Staff</b>	<a href="#">Bryan D. Wilson</a>
<b>Petitioner(s)</b>	Nathan Lee Myers and Stephanie Jane Myers
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN 6824-26-7295
<b>Address</b>	1541 & 1545 Ebert Street
<b>Type of Request</b>	General Use rezoning
<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 RM18-S (Residential Multifamily – 18 units per acre maximum density – Special Use) <b>to</b> RM5 (Residential Multifamily – 5 units per acre maximum density).</p> <p><b>NOTE:</b> General, Special Use Limited, and Special Use district zoning were discussed with the petitioner(s), who decided to pursue the rezoning as presented. With a General Use request, all uses in the district must be considered.</p>
<b>Neighborhood Contact/Meeting</b>	A summary of the petitioner’s neighborhood outreach is attached.
<b>Zoning District Purpose Statement</b>	The RM5 District is primarily intended to accommodate low density, pedestrian-oriented sites and communities containing duplexes, twin homes, multifamily, and townhouse residential buildings with three or four units, and similar residential uses at a maximum overall density of five units per acre. This district is intended for GMAs 2 and 3 and may be suitable for GMA 4 and 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>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Yes, the site is located within GMA 3 and is located along a major thoroughfare.</p>
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	East side of Ebert Street, across from Kaywood Lane. The site extends to the west side of Martin Street.
<b>Jurisdiction</b>	Winston-Salem
<b>Ward(s)</b>	Southwest
<b>Site Acreage</b>	± 1.50 acres
<b>Current Land Use</b>	The western portion of the site contains two single-family homes, while the eastern portion is vacant.

<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>			
	South	RM18-S	Multifamily Residential			
	North	LO-S	Offices			
	East	RM18	Multifamily Residential			
	West	RS9	Church and Single-Family Homes			
<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>					
	The proposed residential uses are compatible with the similar multifamily and single-family uses permitted on the surrounding properties.					
<b>Physical Characteristics</b>	The partially developed site is largely open space with a gentle slope to the east.					
<b>Proximity to Water and Sewer</b>	Public water mains and sewer outfalls are located under Ebert Street and Martin Street.					
<b>Stormwater/ Drainage</b>	No known issues exist for this site.					
<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 currently has dual zoning, with the southern portion having been erroneously rezoned RM18-S in 1985 as a part of the multifamily development to the south. The site currently contains two single-family homes with a relatively large undeveloped area in the eastern portion.					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-1239	RM18-S	Approved 5/6/1985	Portion of current site and abutting property to the south	2.05	Approval	Approval
W-3430	RM12-S	Approved 6/1/2021	500 feet north	8.16	Approval	Approval
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Ebert Street	Major Thoroughfare	200 feet	14,000	15,800		
Martin Street	Local Street	199 feet	N/A	N/A		
<b>Proposed Access Point(s)</b>	Because this is a General Use request with no site plan or access conditions, the exact location of future access points is unknown.					

<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: RS9</u> 0.73 acres / 9,000 sf = 3 homes x 9.57 (single-family trip rate) = 29 trips per day</p> <p><u>Existing Zoning: RM18-S</u> 0.77 acres x 18 units/acre = 13 homes x 6.64 (apartment trip rate) = 86 trips per day</p> <p><b>Total estimated trip generation for existing zoning = 115 trips per day</b></p> <p>Trip generation is unavailable for the proposed General Use request as it does not include a site plan.</p>
<b>Sidewalks</b>	There are currently no sidewalks on either side of Ebert Street. Sidewalks exist on the eastern side of Martin Street.
<b>Transit</b>	WSTA Route 84 runs along Silas Creek Parkway approximately 500 feet north.
<b>Transportation Impact Analysis (TIA)</b>	A TIA is not required.
<b>Analysis of Site Access and Transportation Information</b>	<p>The site has frontage along Ebert Street, which is a major throughfare. A transit stop is available north of the site along Silas Creek Parkway.</p> <p>Sidewalks do not exist along this section of Ebert Street; however, there are sidewalks along the eastern side of Martin Street.</p>
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 2 – Urban Neighborhoods
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• Promote the use of moderate-density residential and office as transitional uses between intense business and residential uses.</li> <li>• Increase infill development in the serviceable land area.</li> <li>• Promote compatible infill development that fits with the context of its surroundings.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>South Suburban Area Plan Update (2017)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• The area plan’s proposed land use map recommends intermediate density residential (8-18 units/acre) at this site.</li> <li>• Generally, intermediate-density residential land use is recommended for sites greater than two acres that are most appropriately developed with multifamily or townhouse structures.</li> </ul>
<b>Site Located Along Growth Corridor?</b>	The site is not along a growth corridor.

<b>Site Located within Activity Center?</b>	The site is not located within an activity center.
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>Is the requested action in conformance with <i>Legacy 2030</i>?</b>
Yes	
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>This request would rezone approximately 1.5 acres on the east side of Ebert Street, just south of Silas Creek Parkway. The site currently has dual zoning with the northern half being RS9 and the southern half being RM18-S. This part of the site was erroneously rezoned as a part of the adjacent multifamily apartment development approved in 1985.</p> <p>The <i>South Suburban Area Plan Update</i> recommends intermediate density residential development for this property (8-18 dwelling units per acre). While the request is slightly below this recommendation, RM5 zoning would still allow future multifamily development at this location and would allow the current uses to remain on-site.</p> <p>This rezoning would also provide an opportunity to provide additional “missing middle” housing types while providing a transitional land use with respect to the neighboring properties across Ebert Street.</p>
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>	
<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The proposed district would allow infill development that is sensitive to the infill character of the surrounding area and uses.	The proposed district is slightly below the recommended density for this site in the <i>Southwest Suburban Area Plan Update</i> .
The site has access to transit, public water, and sewer.	
The proposed request is generally consistent with <i>Legacy 2030</i> .	

**STAFF RECOMMENDATION: Approval**

**NOTE:** These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **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.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3497  
OCTOBER 14, 2021**

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: 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 zoning petition.

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

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Chris Murphy, AICP  
Acting Director of Planning and Development Services