

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3413
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Gateway Management Services, Ltd
Owner(s)	Same
Subject Property	PIN 6828-89-5726 and a portion of PIN 6828-98-3508
Address	The undeveloped site does not currently have an address assignment.
Type of Request	Special Use rezoning from RS9 to RM5-S and Elected Body Special Use Permit request to access RM5-S zoned property across RS9 zoned property.
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 RM5-S (Residential, Multifamily – 5 units per acre maximum density – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach efforts for the rezoning portion of the request is attached.
Zoning District Purpose Statement	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.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?
	Yes. The site is located in GMA 3, in a residential/recreational setting with public services, including frontage along a major thoroughfare.
GENERAL SITE INFORMATION	
Location	East side of Germanton Road, north of Hanes Mill Road
Jurisdiction	City of Winston-Salem
Ward(s)	Northeast
Site Acreage	± 4.43 acres
Current Land Use	The proposed rezoning site is currently undeveloped.

Surrounding Property Zoning and Use	Direction	Zoning District	Use			
	North	RS9	Undeveloped property			
	East	RS9	Maple Chase Golf and Country Club and single family homes			
	South	RS9	Maple Chase clubhouse			
	West	RS9	Single family homes across Germanton Road			
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	Yes, the proposed twin homes are compatible with the residential uses permitted on the adjacent properties.					
Physical Characteristics	The undeveloped site has a gentle slope downward toward the southeast. There are a few mature trees located along Germanton Road; otherwise, the site is grassed.					
Proximity to Water and Sewer	The site is served with public water and sewer.					
Stormwater/ Drainage	A stormwater management device is proposed in the southeastern corner of the site, and a stormwater study will be required.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The site does not appear to have physical development constraints resulting from regulated water supply watersheds, designated floodplains, or steep topography.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2729	RS9 & GI to CPO	Approval 11/1/2004	400 feet west	109	Approval	Approval
W-1813	R5 to I3-S (GI-S)	Approved 4/5/1993	300 feet west	6.14	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D		
Germanton Road	Major Thoroughfare	1,150 feet	12,000	13,800		
Proposed Access Point(s)	Access to the site from Germanton Road is proposed through the adjacent parking lot for Maple Chase Golf and Country Club requiring an access easement. Approval of this access easement must be granted by Elected Body Special Use Permit.					
Planned Road Improvements	The <i>Comprehensive Transportation Plan</i> recommends a three-lane section for Germanton Road with curb and gutter, wide outside lanes, and sidewalks.					

Trip Generation - Existing/Proposed	<u>Existing Zoning: RS9</u> 4.43 acres / 9,000 = 21 units x 9.57 (SFR trip rate) = 201 Trips per Day		
	<u>Proposed Zoning: RM5-S</u> 20 units x 6.59 (Low-Rise Apartment trip rate) = 132 Trips per Day		
Sidewalks	There are no sidewalks located in the general area. Sidewalk is required along Germanton Road.		
Transit	WSTA Route 87 stops at the K&W Cafeteria located approximately one half-mile west on Hanes Mill Road.		
Analysis of Site Access and Transportation Information	<p>The subject property has extensive frontage along a major thoroughfare. However, NCDOT will not approve an access point along this section of Germanton Road, as the site adjoins property which has signalized access (opposite Hanes Mill Road) <i>and</i> is in the same ownership as the subject property. Because the adjacent property is not included in the rezoning portion of the request (and would remain zoned RS9), the petitioner is requesting an Elected Body Special Use Permit to cross RS9-zoned property to access RM5-S zoned property (see Other Applicable Plans and Planning Issues section).</p> <p>Staff notes that the proposed street exceeds the maximum cul-de-sac length of eight hundred (800) feet as specified in the UDO. However, staff recommends approval of an exception because, as noted, a secondary access along this section of Germanton Road will not be approved, <i>and</i> the adjacent development (golf course) does not lend itself to a stub street.</p>		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Units (by type) and Density	20 twin home units on 4.43 acres = 4.51 dwelling units per acre		
Parking	Required	Proposed	Layout
	40 spaces	40 spaces	Front yard driveways
Building Height	Maximum		Proposed
	40 feet		Two-story
Impervious Coverage	Maximum		Proposed
	N/A		46.8 percent
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.2 (K) RM5 Residential Multifamily District Chapter B, Article II, Section 2-5.2 Access Easement, Private Off-Site Use Conditions 		
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:	Yes	
	(B) Environmental Ord.	N/A	
	(C) Subdivision Regulations	N/A	
Analysis of Site Plan Compliance with UDO Requirements	The site plan depicts ten twin home residential units located along one side of a new private street. These homes would back up to an existing golf course. A ten-foot streetyard with a white split rail fence and additional tree save plantings will be provided between the new street and		

	Germanton Road. The proposed RM5-S zoning triggers the requirement for a Type II bufferyard along the eastern edge of the site abutting RS9 zoning. However, because the homes would be directly adjacent to the Maple Chase golf course, the developer is seeking approval of an alternative solution through the Alternative Compliance provision of the UDO [Chapter B, Article III, Section 2-5.2 (C)]. Considering the adjacent land use, staff is supportive of this request.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 GMA	Growth Management Area 3 – Suburban Neighborhoods
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Facilitate land use patterns that offer a variety of housing choices. Promote the use of moderate-density residential and office as transitional uses between intense business and residential uses. Promote standards requiring high-quality design for infill development that is compatible with the surrounding neighborhood.
Relevant Area Plan(s)	<i>Northeast Suburban Area Plan Update (2017)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> Area plan recommends commercial recreation for this site. Develop a variety of housing types for different income levels, family sizes, and personal preferences. Low-density attached residential land use is recommended for sites greater than two acres that are most appropriately developed with duplex, triplex, quadraplex, multifamily, and townhouse uses.
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Other Applicable Plans and Planning Issues	The Elected Body shall issue a Special Use Permit only when the Elected Body makes an affirmative finding on four findings of fact. However, the role of the Planning Board is to verify the site plan meets UDO requirements.
Addressing	Addresses for the subject property will be assigned once a subdivision plat is filed. The existing address for the Maple Chase Golf and Country Club will be changed from a Germanton Road address to a Maple Chase Lane address.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(R)(4) - Is the requested action in conformance with Legacy 2030?
	Yes
Analysis of Conformity to Plans and Planning Issues	The request would allow for the construction of 20 dwelling units along a new private street. The proposed density is slightly below the 4.84 units per acre currently permitted.

The *Northeast Suburban Area Plan Update* recommends commercial recreation for this site based upon its adjacency to – and common ownership with – the Maple Chase Golf Course. The plan also recommends low-density attached residential land use for appropriate sites which are larger than two acres. The scale and massing of the proposed dwellings are not out of character with the single family homes across Germanton Road.

Both the area plan and *Legacy* recommend a variety of housing types, which the request would allow. Because of its location between Germanton Road/NC 8 and the golf course, staff sees this site as a good location for attached residential development at the proposed density.

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The estimated trip generation for the proposed rezoning is lower than what would be expected with the current RS9 zoning.	The proposed cul-de-sac exceeds the maximum length specified in the UDO.
The site fronts a major thoroughfare with ample capacity.	
The rezoning request is consistent with the recommendations of <i>Legacy</i> and the area plan in that it would facilitate a variety of housing choices.	

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or 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 Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. 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. Required improvements include:
 - Forty (40) feet of right-of-way from the centerline of Germanton Road;
 - Install sidewalk along Germanton Road;
 - A negative access easement along Germanton Road; and
 - Access easement through the adjacent property to Germanton Road (contingent upon approval by the Winston-Salem City Council).

- **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. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
 - b. Developer shall complete all requirements of the driveway permit.

STAFF RECOMMENDATION FOR REZONING: Approval

NOTE: These are **staff comments** only; a certification of compliance of the site plan with UDO requirements is made by the City-County Planning Board; with final decisions on the special use permit 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.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3413
MAY 23, 2019**

Desmond Corley presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe recommended approval of the zoning petition, and special use permit and certified the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: Jason Grubbs

VOTE:

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

AGAINST: None

EXCUSED: None

Aaron King
Director of Planning and Development Services