

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3404
<b>Staff</b>	<a href="#">Amy Crum</a>
<b>Petitioner(s)</b>	Grand at Union Cross, LLC
<b>Owner(s)</b>	Same
<b>Subject Property</b>	Portion of PIN 6874-19-6243
<b>Address</b>	No address is currently assigned to the vacant property.
<b>Type of Request</b>	Special Use rezoning from RM12-S to RM18-S
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> RM12-S (Residential, Multifamily – 12 dwelling units per acre) <b>to</b> RM18-S (Residential, Multifamily – 18 dwelling units per acre maximum density). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; and Residential Building, Single Family</li> </ul> <p>The purpose of this request is to shift units from Tract 2 of the property identified above (PIN 6874-19-6243) to Tract 1 (RM12-S portion) and meet UDO density requirements.</p>
<b>Neighborhood Contact/Meeting</b>	The petitioner held a neighborhood meeting on February 17, 2019. Their summary is attached.
<b>Zoning District Purpose Statement</b>	The RM18 District is primarily intended to accommodate multifamily uses at a maximum overall density of eighteen (18) units per acre. This district is appropriate for GMAs 1 and 2 and may be suitable for GMA 3 and Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available and the site has direct access to a minor or major thoroughfare.
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</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 Growth Management Area 3 (Suburban Neighborhoods) with direct access onto Solomon Drive and Pecan Lane. The site is located within 0.1 mile of the Solomon Drive and Union Cross Road intersection and within 0.5 mile of the Union Cross Road and Interstate 40 interchange.</p>

<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	South side of Solomon Drive and north side of Pecan Lane, west of Union Cross Road		
<b>Jurisdiction</b>	City of Winston-Salem		
<b>Ward(s)</b>	East		
<b>Site Acreage</b>	± 7.45 acres (Entire parcel: ± 13.46 acres)		
<b>Current Land Use</b>	The site is currently undeveloped.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	RS9	Single-family residential
	East	GB-S	Undeveloped property
	South	RS9 and GB-S	Undeveloped property
	West	RS9	Single-family residential and undeveloped property
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>		
	Yes. The site is surrounded by GB-S-zoned property to the east and RS9-zoned property to the west. The proposed multifamily development will act as a transition between the proposed commercial uses along Union Cross Road and the existing single-family residential to the west.		
<b>Physical Characteristics</b>	The site is undeveloped with minimal vegetation and relatively flat topography.		
<b>Proximity to Water and Sewer</b>	Public water and sewer are available to the site.		
<b>Stormwater/ Drainage</b>	There are no known stormwater or drainage issues with the site. The proposed site plan shows a wet pond along the northwest boundary of the site. The Winston-Salem Stormwater Division has indicated that a stormwater management plan must be submitted for approval.		
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed.		
<b>Historic, Natural Heritage and/or Farmland Inventories</b>	The site is not listed on a historic, natural heritage, or farmland inventory. However, a property within the Voluntary Agricultural District program is located approximately 0.6 mile south on the east side of Union Cross Road.		
<b>Analysis of General Site Information</b>	The site is currently undeveloped and does not appear to have any physical development constraints. It is not located in a watershed or overlay district.		

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3158	RS9 and GB-S to RM12-S and GB-S	Approved 11/05/2012	Includes subject property	13.53	Approval	Approval
W-3116	RS9 to GB-S Two Phase	Approved 12/05/2011	East	15.9	Approval	Approval
W-3297	GB-S to GB-S	Approved 06/06/2016	East	1.78	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Pecan Lane	Local Street	348 feet	1,300	N/A		
Solomon Drive	Collector Street	163 feet	N/A	N/A		
<b>Proposed Access Point(s)</b>	The entire site will have one access point on Solomon Drive and two access points on Pecan Lane.					
<b>Planned Road Improvements</b>	Improvements to Union Cross Road and Solomon Drive were recently completed by NCDOT.					
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: RM-12-S</u> 88 units x 6.65 (apartment trip rate) = 585.2 Trips per Day</p> <p><u>Proposed Zoning: RM18-S</u> 112 units x 6.65 (apartment trip rate) = 744.8 Trips per Day</p> <p><b>**The total number of units (and trips) on the entire 13.46-acre site will not change as a result of rezoning from RM-12 to RM-18.</b></p>					
<b>Sidewalks</b>	Sidewalks currently do not exist along Pecan Lane nor Solomon Drive. Sidewalks are shown on the proposed site plan along the south side of Solomon Drive and along the west side of the realigned Pecan Lane.					
<b>Transit</b>	No transit routes are currently operating in the vicinity of the subject property. The closest WSTA route is approximately 3.5 miles west of the site.					
<b>Transportation Impact Analysis (TIA)</b>	<p>A TIA was completed as part of a previous rezoning case (W-3158). Review of the study for that case indicated that the level of service and delay values would be approximately the same as the previously approved GB-S development (W-3116). As the total number of units being proposed for the entire site is not changing with this rezoning request, the findings of the 2012 study are still valid.</p> <p>Improvements to Union Cross Road and Solomon Drive that were to be completed by NCDOT were incorporated into the findings of the TIA, including a left turn lane onto Pecan Lane from Solomon Drive. These improvements have been completed. However, while paved space was allocated for the left turn lane onto Pecan Lane from Solomon Drive, the</p>					

	roadway was not marked with the turn lane. Additionally, the signalization at the Union Cross Road and Solomon Drive intersection does not account for the turn lane. Development of either the multifamily property or the adjacent commercial property will require improvements to the roadway striping and turn signalization to account for this left turn lane.		
<b>Analysis of Site Access and Transportation Information</b>	The entire site will have a total of three access points; one from Solomon Drive and two from Pecan Lane. Though sidewalks do not currently exist along the property frontage on either Solomon Drive or Pecan Lane, the proposed site plan shows installation of sidewalks along those street frontages and internal to the site. As the total number of units is not changing from the previously approved site plan, the TIA submitted for that case is still valid and indicates no change in level of service or delay values with the multifamily development.		
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>			
<b>Building Square Footage</b>	<b>Square Footage</b>		<b>Placement on Site</b>
	5 apartment buildings ranging in footprints from 11,900 square feet to 15,096 square feet		Various locations
<b>Units (by type) and Density</b>	112 units on 7.5 acres = 14.93 units per acre (subject property) 272 units on 13.46 acres = 20.21 units per acre (entire site)		
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>	<b>Layout</b>
	494 spaces	495 spaces	90 degree head-in parking
<b>Building Height</b>	<b>Maximum</b>		<b>Proposed</b>
	60 feet		Two- and three-story buildings
<b>Impervious Coverage</b>	<b>Maximum</b>		<b>Proposed</b>
	80 percent in RM18-S; no maximum in GB-S		54.19 percent for entire site
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>• Chapter B, Article II, Section 2-1.2 (N) RM18 Residential Multifamily District</li> <li>• Chapter B, Article II, Section 2-5.64 Residential Building, Multifamily use conditions</li> <li>• Chapter B, Article III, Section 3-6 Common Recreational Areas</li> </ul>		

<b>Complies with Chapter B, Article VII, Section 7-5.3</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 proposed site layout meets the UDO requirements with regard to density, parking, building height and impervious coverage. The site plan also includes a clubhouse with pool, a dog park, and 8,835 additional square feet of recreational area, totaling 28,285 square feet of common recreational area. This exceeds the required 27,200 square feet of common recreational space.	
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>		
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 3 - Suburban Neighborhoods	
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• Concentrate development within the serviceable land area of Forsyth County with the highest densities at city/town centers, activity centers and along growth corridors (p. 29)</li> <li>• Activity centers have the potential to accommodate denser mixed-use development (p. 32).</li> <li>• Encourage the inclusion of housing at higher residential densities in activity centers and appropriate locations on growth corridors (p. 33).</li> <li>• Encourage higher development densities and mixed-use development within the serviceable land area (p.42).</li> <li>• Increase infill development in the serviceable land area (p.42).</li> <li>• Facilitate land use patterns that offer a variety of housing choices (p. 42).</li> <li>• Focus higher-intensity, quality mixed-use development in activity centers, growth corridors, and town centers (p. 170).</li> <li>• Ensure appropriate transitional land uses or physical buffering between residential and nonresidential uses to maintain the character and stability of neighborhoods (p. 175).</li> <li>• Consider requiring new buildings to be oriented to both public and internal streets and parking areas located internally on the site or behind buildings (p. 182)</li> </ul>	
<b>Relevant Area Plan(s)</b>	<i>Southeast Forsyth County Update (2013)</i>	
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• The subject property is shown for commercial and moderate-intensity residential within the Union Cross Road/Interstate 40 Activity Center on Map 9: Proposed Land Use (p. 27).</li> <li>• Activity Centers are compact, pedestrian-oriented, neighborhood business areas that provide needed services within walking distance of residential areas. Activity Centers may also include a housing component, especially in suburban or future growth areas where new activity centers are being proposed (p. 31).</li> </ul>	

<b>Site Located Along Growth Corridor?</b>	This site is not located along a growth corridor.
<b>Site Located within Activity Center?</b>	The site is located within the Union Cross Road/Interstate 40 Activity Center.
<b>Comprehensive Transportation Plan Information</b>	Neither Solomon Drive nor Pecan Lane is listed in the <i>Comprehensive Transportation Plan</i> . However, improvements to the Solomon Drive and Union Cross Road intersection have been recently completed as part of NCDOT Transportation Improvement Program (TIP) U-4909.
<b>Greenway Plan Information</b>	A proposed greenway is not shown on the site.
<b>Addressing</b>	The proposed street names have been approved. Addresses will be issued during permitting.
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(3) - Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>(R)(4) - Is the requested action in conformance with <i>Legacy 2030</i>?</b>
Yes	
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>In general, the layout shown on the proposed site plan is similar to the layout shown on the site plan submitted and approved as part of the previous rezoning (W-3158). Furthermore, the total number of proposed units for the entire 13.46 acre site has not changed from the previous rezoning, nor has the number of proposed buildings. The critical difference between the two proposals, which triggered this rezoning request, is the allocation of units across the site. For the previous rezoning, Buildings 9, 10, and 12, located on the subject property, were two-story, 16-unit buildings. With this request, those buildings are shown as three-story, 24-unit buildings. Essentially, this proposal shifts units from the eastern GB-S portion of the site to the western portion, thereby increasing the density of that portion beyond UDO allowances.</p> <p>Other minor changes to the new site plan include:</p> <ul style="list-style-type: none"> <li>Increasing the square footage of the northern recreation area (“dog park”) from 7,235 square feet to 8,450 square feet and decreasing the clubhouse recreation area from 11,510 square feet to 11,000 square feet.</li> <li>Changing Building 8 from a two-story, 16 unit building to a three-story, 24-unit building.</li> </ul> <p>The proposed elevations (Exhibit A) are of a similar design to those submitted with the previous zoning case. However, the new elevations show a higher quality of building materials compared to the previous elevations, with more brick and hardy board used.</p> <p>Use of the site for multifamily residential development is supported by the <i>Legacy 2030 Update</i> and the <i>Southeast Forsyth County Update</i>. The</p>

	<p>area plan update recommends the site be developed with commercial and moderate density residential uses as part of the Union Cross/Interstate 40 Activity Center. <i>Legacy</i> encourages inclusion of housing at higher residential densities in activity centers and serviceable land areas.</p> <p>The applicant submitted a Final Development Plan for approval by the City-County-Planning Board concurrent with this request. The Final Development Plan was for development proposed on the GB-S portion of the site (Tract 2) but is part of the development proposed with this request; they utilize the same site plan. The Final Development Plan has been approved by the City-County Planning Board, conditional upon approval of this rezoning request.</p>
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**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The rezoning is supported by the recommendations of the <i>Southeast Forsyth County Update</i> and the <i>Legacy 2030 Update</i> .	The heights of the buildings closest to existing single-family homes will be increasing from two stories to three stories.
The multifamily development will provide a transition between the proposed commercial development to the east and the existing single-family development to the west.	
The proposal allows for a residential component to be incorporated into the proposed Union Cross Road/Interstate 40 activity center.	

#### **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 ISSUANCE OF ANY PERMITS:**
  - a. Developer shall receive rezoning approval from the Winston-Salem City Council prior to Final Development Plan approval taking effect.
- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
  - a. Developer shall submit a stormwater management plan that meets all of the City of Winston-Salem's Post Construction Stormwater Management ordinance provisions.
  - b. Developer shall obtain a driveway permit from the City of Winston-Salem and an encroachment agreement from NCDOT; additional improvements may be required prior to issuance of the driveway permit.
- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
  - a. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show tentative building locations for the multifamily buildings and all access and utility easements.
  - b. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on "Exhibit A" and as verified by Planning staff.
  - c. Developer shall obtain a post construction stormwater management permit prior to the signing of plats.
- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
  - a. Developer shall install a concrete band to the specifications of the City of Winston-Salem Public Works Department to delineate the beginning of private streets.
  - b. All required improvements of the City of Winston-Salem driveway permit and NCDOT encroachment agreement shall be completed.
- **OTHER REQUIREMENTS:**
  - a. The berm along the Solomon Drive street frontage shall be extended to the western edge of the proposed dog park/recreational area.
  - b. Any freestanding signage shall be limited to one monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.

**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-3404  
APRIL 11, 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 certified the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: Brenda Smith

VOTE:

FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Clarence Lambe, Chris Leak, Brenda Smith

AGAINST: None

EXCUSED: Jason Grubbs

MOTION: Clarence Lambe recommended approval of the Final Development Plan.

SECOND: Tommy Hicks

VOTE:

FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Clarence Lambe, Chris Leak, Brenda Smith

AGAINST: None

EXCUSED: Jason Grubbs

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Aaron King  
Director of Planning and Development Services