

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3505
Staff	Elizabeth Colyer
Petitioner(s)	Anthony J. Cathcart and Richard C. Fielder
Owner(s)	Same
Subject Property	PIN 6835-13-0863
Address	500 Wachovia Street
Type of Request	Limited Use rezoning from RM5 to PB-L
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RM5 to PB-L. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Residential Building, Multifamily; Residential Building, Twin Home; Residential Building, Single Family; Residential Building, Duplex; and Residential Building, Townhouse
Neighborhood Contact/Meeting	A summary of the petitioners' 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 Growth Management Areas 1, 2 and 3.</p>
Rezoning Consideration from Section 3.2.15 A 13	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?
	Yes, the request proposes residential uses in keeping with the existing neighborhood. The site is located within the West Salem National Register District and GMA 2 (Urban Neighborhoods), at the corner of a local street and a collector street.
GENERAL SITE INFORMATION	
Location	Southwest corner of Wachovia Street and South Poplar Street
Jurisdiction	Winston-Salem
Ward(s)	South
Site Acreage	± 0.12 acres
Current Land Use	The site is almost entirely covered by a vacant commercial building constructed circa 1920.

Surrounding Property Zoning and Use	Direction	Zoning District	Use			
	North	RM5 and GI	Single-family residential			
	East	RM5	Single- and multifamily residential			
	South	RM5	Single-family residential			
	West	RM5	Single-family residential			
Rezoning Consideration from Section 3.2.15 A 13	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	Yes, the proposed residential uses are compatible with existing residential uses in the surrounding area. Commercial uses have been omitted from the proposal.					
Physical Characteristics	The site is developed with an existing commercial building that covers most of the lot. The site has a moderate upward slope from north to south; portions of the existing building are below grade.					
Proximity to Water and Sewer	Public water and sewer serve the site along Wachovia Street and South Poplar Street.					
Stormwater/ Drainage	There are no known stormwater or drainage issues on the site.					
Watershed and Overlay Districts	The site is not located within any regulated watersheds or overlay districts.					
Historic, Natural Heritage and/or Farmland Inventories	The building at 500 Wachovia Street is a circa-1920 commercial building (FY1149) that contributes to the historic character of the West Salem Historic District (FY3011), which was listed on the National Register of Historic Places in 2005. A certified rehabilitation of this building that complies with the Secretary of the Interior's Standards for Rehabilitation and is reviewed and approved through the State Historic Preservation Office and National Park Service may be eligible for state and federal income tax credits.					
Analysis of General Site Information	The site is developed with an identified contributing commercial structure in the West Salem National Register District and has access to existing water and sewer infrastructure.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3449	RSQ, RM5 and IP to IP-L	Approved 11/6/2017	South and west	7.13	Approval	Approval
W-3147	RM5-S to RS7-L	Approved 8/6/2012	Northwest	0.25	Approval	Approval
W-2192	GI to GB	Approved 12/15/1997	East	3.85	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Wachovia Street	Collector	50 feet	N/A	N/A		
South Poplar Street	Local	100 feet	N/A	N/A		

Proposed Access Point(s)	The existing building includes a garage bay door with direct access to a curb cut onto South Poplar Street. No additional access is proposed.
Planned Road Improvements	Any unused existing curb cuts will be closed when building permits are obtained.
Trip Generation - Existing/Proposed	<u>Existing Zoning: RM5</u> 3 units x 6.65 (apartment unit trip rate) = 19.95 trips per day (based on the last known use) <u>Proposed zoning: PB-L</u> The proposed trip generation cannot be calculated, as the proposed number and type of residential unit(s) are undetermined, and no site plan was submitted with the request.
Sidewalks	There are existing sidewalks along Wachovia Street and South Poplar Street.
Transit	WSTA Route 85 serves South Broad Street approximately 150 feet west of the site.
Connectivity	The site could have connections to Wachovia Street and South Poplar Street. With this being a Limited Use rezoning with no site plan, any proposed street connections are undetermined.
Transportation Impact Analysis (TIA)	A TIA is not required.
Analysis of Site Access and Transportation Information	The site is in a pedestrian-oriented GMA 2 neighborhood with existing sidewalks and near fixed-route transit service on South Broad Street, a minor thoroughfare.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 2 – Urban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Facilitate land use patterns that can provide a variety of housing options. • Encourage redevelopment and reuse of existing buildings compatible with the surrounding area, and specifically in West Salem. • Encourage the reuse of older nonresidential buildings for residential use.
Relevant Area Plan(s)	<i>South Central Area Plan Update (2014)</i>

Area Plan Recommendations	<ul style="list-style-type: none"> • Contributing commercial buildings are to be retained within the West Salem National Register District. • The site is identified as a Special Land Use Condition Area (a commercial building in a residential zoning district) and the area plan does not support rezoning the site to a nonresidential zoning district. With the loss of the nonconforming commercial status of the building, the only means of preserving the building is to allow residential land uses here. • Revitalization of underutilized commercial buildings is encouraged. • Continue to provide housing of different types for varying income levels, household sizes, and personal preferences.
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.
Addressing	Any additional addresses for proposed residential units will be assigned at the time of permitting.
Rezoning Consideration from Section 3.2.15 A 13	Have changing conditions substantially affected the area in the petition?
	No
	Is the requested action in conformance with <i>Legacy 2030</i>?
Yes	
Analysis of Conformity to Plans and Planning Issues	The request to rezone the site from RM5 to PB-L with only residential uses will help preserve a contributing structure within the West Salem National Register District. Due to the small lot size (approximately 5,200 square feet), the current zoning would allow only a single residential unit. By rezoning the site to PB-L, the existing building could be redeveloped for additional residential units. The specific area plan recommendation is for the site to retain its residential zoning. However, the plan also encourages reuse of underutilized buildings for residential uses. Rezoning this property to PB, while limiting the allowed uses to residential uses, would allow reuse of this property in keeping with <i>Legacy's</i> principles.
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
This proposal would allow a vacant commercial building to be redeveloped as residential units.	The proposal would extend commercial zoning into a residential area, which could lead to further requests for nonresidential zoning.
The proposal would help preserve a contributing structure in the West Salem National Register District, allowing neighborhood character to be maintained.	

The request would allow a greater variety of housing types in the West Salem neighborhood.

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 developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of the driveway permit.
 - b. Prior to demolition of any portion of the building, the owner shall submit to Historic Resources staff a completed Architectural Resources Documentation Form and photographs of the building located at 500 Wachovia Street.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
 - a. The developer shall complete all requirements of the driveway permit(s).

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-3505
DECEMBER 9, 2021**

Elizabeth Colyer presented the staff report.

PUBLIC HEARING

FOR:

Zachary Reich, 3256 Robinhood Road, Winston-Salem, NC 27106

- My proposal is to turn this building into a multifamily apartment. During the public outreach period in the neighborhood, the majority of the feedback that I received was concern about restrictive parking and overloading of the small streets.
- During 13 visits to the site, multiple times a day across the month of November, I found that the largest occupancy between Academy Street and Wachovia Street and on Poplar Street was about 11 percent of available parking spaces [Mr. Reich presented a slideshow].
- Because this building does not have onsite parking, my plan would be to allow legal street parking on existing streets and have residents walk a short distance to their car.
- I would propose that safety offsets be installed around the corners because the turn can be a bit blind. I would also propose that if the residents were interested, parking could be restricted to one side of the street. Even with the highest density, parking there would still be 52 available parking spaces, which would be about 21 to 22 percent of parking utilized, worst case.

AGAINST:

Paige Bentley, 502 Wachovia Street, Winston-Salem, NC 27101

- My house is right next door to this building, and I want to put on the record that I am all in favor of this building being renovated and really want Zach to be successful. I am speaking on behalf of our neighborhood. The main concerns, as Zach mentioned, are concerns around the parking. Wachovia Street and Poplar Street have, unfortunately in the past few years, experienced a sudden and dramatic change in traffic patterns due to the Salem Parkway construction and the growth that is happening at Salem Baptist Church. Most folks do have onsite parking, and some of us have driveways, so as Zach has said, there aren't a lot of folks who are parking on the street all the time, but our streets have become a cut-through, not only for cars but also for large delivery trucks, buses, 18-wheelers. There is a lot of traffic happening on our streets. There is concern around safety happening here as well.

- One of the concerns that I have, personally, is that if there are two cars parked on either side of my driveway - which if I were living in Zach's building, I would totally park right there - and a car parked across the street from my driveway, because of the narrowness of my driveway, and the fact that it is up against a wall on his side and my side, the geometry does not work for me to exit or enter my driveway. I was hoping that would not be the case. And there may be some solutions around that. I would hope that the City could look into that.
- We are concerned about the higher congestion in our neighborhood due to traffic and the potential of having 12 or more cars on the street that might add to some of those safety concerns.

Suzi Moore, 507 Wachovia Street, Winston-Salem, NC 27101

- [Suzi confirmed that the Planning Board received the note including neighborhood signatures and pointed out that it was important for the Board to understand more than three neighbors had concerns.]
- This is very short notice. We just found out about this recently. It makes it very difficult to get a whole neighborhood together. The fact that we got 12 signatures was pretty astonishing to us because this really started out with a few of us.
- We have multiple problems on Wachovia between Broad and Marshall. You can ask any of the utility people, the sanitation folks, it has become dangerous. All those streets are very narrow. It's hard to get two cars driving against each other. It's 25 miles an hour, and the problem we're having now is due to exponential growth of traffic. Most people are going 40-60 miles an hour. Some run through the stop sign. Wachovia has become a disaster zone. I really recommend people come and sit and watch what happens. It's a 24/7 problem. I think it's really important for people to look at what's happening on Poplar Street at nighttime when people actually park. I cannot always get out of my driveway. As a neighborhood, we have not had a lot of time to think about this.
- At this point in time, it would be nice if we could hold off on this decision for a while so that we could actually get some of the other departments like the Mayor's office, WSDOT, police, planning, and utilities to do an overall look at what is going on in our neighborhood.

George Bryan asked Ms. Moore if she felt that the traffic problem came about when access to Salem Parkway was cut off on Broad Street. Ms. Moore confirmed this and stated that they had a lot of conversations with DOT, police, and Council Member Larson while construction was going on. She also stated that the hope was that everything would get better, but it has only gotten worse.

Debra Harrell, 507 Wachovia Street, Winston-Salem, NC 27101

- I have probably lived longer on that section of street than anyone who has spoken, and it has always been hard to back out of my driveway. The City tried to plant dogwoods in front of my house in the nearest strip of grass, and they are long gone from the body of trucks hitting the trees.
- A couple of things I would like to point out: I am not interested in the number of cars that can't park there; I am interested in the number of cars that can park there safely. If you

look at Poplar Street on one of the pictures that Zach presented, there is a pickup truck with his right two tires on the sidewalk. That is what people typically do because there is a hill over which you cannot see as far as the horizon goes. To have four units with two bedrooms each and a potential office that could be a bedroom is how we're getting the four, eight or 12 more cars, and it's too much for that site. The building takes up the entire site, and there is no onsite parking. Most of the houses around are older houses that have onsite parking in the form of narrow parking. It's not a safe situation on Poplar or Wachovia.

WORK SESSION

There was continued discussion among members of the Planning Board and the speakers regarding RM5 zoning and lack of parking availability. Everyone agreed that they would like to see the building developed but wanted to see parking addressed by WSDOT and other City departments.

Melynda presented several questions that should be directed to WSDOT. Jeff Fansler was not available for questions or comments; however, Chris Murphy would follow up with him regarding citizen requests for street modifications.

The Petitioner, Mr. Reich, went on record to state that he would be willing to work with the City on restricting parking on Wachovia Street, pushing parking onto one side of Poplar Street, and implementing other safety measures.

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Mo McRae

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning amendment.

SECOND: Mo McRae

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

Chris Murphy, AICP
Acting Director of Planning and Development Services