

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3372		
Staff	Gary Roberts, Jr. AICP		
Petitioner(s)	Southeast Gateway Ventures, LLC		
Owner(s)	Same		
Subject Property	PIN#s 6835-30-1528		
Address	1151 South Marshall Street		
Type of Request	Site Plan Amendment for a Residential Building, Multifamily use in a MU-S zoning district.		
Proposal	<p>The petitioner is requesting a Site Plan Amendment to the existing MU-S zoned property.</p> <p>The approved uses from the previously approved zoning case (W-2736) for this site are:</p> <p>Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Residential Building, Townhouse; Combined Use; Fraternity or Sorority; Furniture and Home Furnishings Store; Retail Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Shopping Center; Banking and Financial Services; Offices; Services, A; Services, B; Storage Services, Retail; Testing and Research Lab; Recreation Services Indoor; Recreation Facility, Public; Swimming Pool, Private; Child Care Institution; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; College or University; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Museum or Art Gallery; Nursing Care Institution; School, Private; School, Public; and Stadium, Coliseum or Exhibition Building</p>		
Continuance History	This request was continued from the June 14, 2018 Planning Board meeting to the July 12 meeting.		
Neighborhood Contact/Meeting	See Attachment A for a revised summary of the petitioner's neighborhood outreach.		
GENERAL SITE INFORMATION			
Location	Southeastern terminus of South Marshall Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	South		
Site Acreage	± 23.67 acres (entire MU-S site) Subject property is ±.28 acre.		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	MU-S	Office, restaurant, and multifamily residential uses
	East	HB	Undeveloped property located across South Main

					Street.	
	South		MU-S		YWCA	
	West		MU-S		Undeveloped property	
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, multifamily residential use would be complimentary with the existing mixture of uses permitted on the adjacent properties.					
Physical Characteristics	The site is grassed and essentially flat.					
Proximity to Water and Sewer	The site is served with public water and sewer service.					
Stormwater/ Drainage	No known issues.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The site is within ±120' of both Tar Branch and Salem Creek; however, the majority of the site is elevated slightly above the associated regulatory floodplain areas for these water bodies. Any development within said floodplains will necessitate a Floodplain Development Permit. Otherwise, the site appears to be suitable for the proposed residential building.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2923	MU-S Site Plan Amendment	Approved 4-16-07	Included current site	23.67	Approval	Approval
W-2736	HB, GI, IP, and LI to MU-S Two Phase	Approved 12-6-04	Included current site	49.04	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
South Marshall Street	Private Street	150'	NA	NA		
Proposed Access Point(s)	The site will continue to be accessed from South Marshall Street.					
Trip Generation - Existing/Proposed	<u>Existing Zoning: MU-S</u> 5,800 sf / 1,000 x 89.95 (Quality Restaurant Trip Rate) = 522 Trips per Day					
	<u>Proposed Site Plan Amendment</u>					

	32 units x 6.65 (Apartment trip rate) = 213 Trips per Day		
Sidewalks	An asphalt path for the Strollway is located along South Marshall Street in front of the site. Sidewalks are also located along nearby South Main Street.		
Transit	Routes 100 and 104 run along South Main Street.		
Transportation Impact Analysis (TIA)	A TIA was submitted for the initial MU-S rezoning (W-2736) and it was updated for the subsequent Site Plan Amendment (W-2923).		
Analysis of Site Access and Transportation Information	The proposed site plan does not change the approved access points or internal circulation. The proposed multifamily development should generate less than half of the traffic which could be anticipated with the previously approved restaurant use. Staff believes that the site is a good location for multifamily residential development because of its proximity to the greenway, the strollway, sidewalks, and transit.		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	38,960		Essentially the entire site will be covered by the proposed building.
Units (by type) and Density	32 multi-family units on .28 acre = 114 units per acre.		
Parking for the overall MU-S site	Required	Proposed	Layout
	650 spaces	808 spaces	Mixture of angled on-street and conventional parking lot surface parking
Building Height	Maximum		Proposed
	NA		Four stories
Impervious Coverage	Maximum		Proposed
	NA		Essentially all of PIN 6835-30-1528 will be developed with impervious coverage.
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.5 (C) MU-S Mixed Use – Special Use District Chapter B, Article II, Section 2-5.64 Residential Building, Multifamily Use Conditions 		
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy 2030 policies:	Yes	
	(B) Environmental Ord.	NA	
	(C) Subdivision Regulations	NA	
Analysis of Site Plan Compliance with UDO Requirements	The proposed site plan accommodates a four story, 32 unit multifamily residential building. The portion of the overall MU-S site on which said building is proposed is surrounded by MU-S zoning and therefore no bufferyards are required. The MU-S district provides a 30% reduction from the parking requirements and the site will utilize the existing on and off street parking spaces.		

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"> • Encourage a mixture of residential densities and housing types through land use recommendations. • Promote quality design so that infill does not negatively impact surrounding development. • Promote compatible infill development that fits with the context of its surroundings.
Relevant Area Plan(s)	<i>South Central Winston-Salem Area Plan Update (2015)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The parcel is recommended for mixed-use development. • The Southeast Gateway was intended to be developed as an urban village with a wide mix of uses and good pedestrian access. • Well-designed multifamily housing can add to the character of a neighborhood, increase pedestrian activity, reduce automobile trips, and support transit.
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is located within the Southeast Gateway Activity Center.
Greenway Plan Information	The Salem Creek Greenway is located directly adjacent to the property. See the analysis section below regarding the construction of an additional connection to the greenway.
Other Applicable Plans and Planning Issues	As noted in the Staff Report for the original rezoning in 2004, the development of the subject property represents a long term, collaborative redevelopment effort between various public and private entities. The city of Winston-Salem has invested approximately \$2,000,000 in the acquisition and clearance of the overall Southeast Gateway property and approximately \$1,000,000 for site preparation, remediation, and infrastructure improvements.
Addressing	Building floor plans will be needed prior to permitting for addresses to be issued.
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 Southeast Gateway development was approved in 2004 as an urban, mixed use development. The MU-S district requires a mixture of uses with buildings pulled up to the street and on-street angled or parallel parking along with other design elements.

The proposed site plan amendment would replace a one story restaurant as shown on the approved plan, with a four story residential building. A previous site plan amendment removed the multifamily residential component from the portion of the overall site where a medical office building is now located at the southwest corner of Salem Avenue and South Marshall Street. Staff welcomes the subject request which would increase the number of residential units in this development. The proposed building design and materials are complementary with those of the existing buildings within the MU-S zoning.

As noted, the site is directly adjacent to the Salem Creek Greenway and the pedestrian bridge which extends over Salem Creek to connect with the YWCA. The originally approved plan included an additional footbridge adjacent to the site which would have extended over Tar Branch to connect with the trail which now runs under South Main Street. This would have provided for a more direct alignment of the greenway and reduced the number of greenway users which cross over South Main Street at the street grade level. However, after evaluation by City staff, the costs associated with this bridge was determined to be disproportionate to the scale of the subject request. As an acceptable alternative, the developer has agreed to make a payment in lieu of installing a pedestrian signalized crossing at the intersection of South Main Street and Waughtown Street. As noted in the condition below, the specific amount of the payment would be determined at a later date by the WSDOT and would not exceed \$30,000. The City would then be responsible for completing the installation. The developer is agreeable to this condition.

Staff believes the subject request is consistent with retaining the original concept of an urban village at this location and recommends approval.

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The site is a good location for multifamily residential as it is within walking distance of multiple institutional and recreational facilities and it is well served by sidewalks, the Salem Creek Greenway, and transit.	The approved restaurant use helped to provide the commercial component of this mixed use project.
The request represents a new and substantial addition to the Southeast Gateway development.	
The estimated trip generation is lower than what could be expected for the use shown on the approved site plan.	
The request represents a long term, collaborative redevelopment effort between various public and private entities.	

The request would result in improvements to the pedestrian crossing at the intersection of South Main Street and Waughtown Street.

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 obtain a Floodplain Development Permit from the Erosion Control staff.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
 - a. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on “Elevation A” as verified by Planning staff. All rooftop mechanical equipment shall be screened from view of adjacent public streets.
 - b. An engineered lighting plan shall be submitted to Inspections for the proposed lighting demonstrating the use of full-cut off fixtures, light height of 25' or less and no more than 0.5 foot-candles at the right of way line.
 - c. Developer shall record a cross access easement to adjacent PIN’s 6835-20-9657 and 6835-30-2625 and a public access easement for the twelve (12) foot wide Strollway.
 - d. In lieu of constructing the additional connection over Tar Branch to the Salem Creek Greenway shown on the approved site plan, developer shall make a payment to the City of Winston-Salem in lieu of installing a pedestrian signalized crossing at the intersection of South Main Street and Waughtown Street. The amount of the payment shall be determined by the WSDOT and shall not exceed \$30,000.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Lighting shall be installed per approved lighting plan and certified by an engineer.
 - b. Buildings shall be constructed in substantial conformance with the approved building elevations as approved by Planning staff.
 - c. Developer shall be permitted one freestanding sign to be located along South Main Street. Sign shall be a monument type with a six (6) foot maximum height and a twenty four (24) foot maximum area.

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.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3372
JUNE 14, 2018**

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Steve Causey, Allied Design, 4720 Kester Mill Road, Winston-Salem, NC 27103

- We did work with the Petitioner for the site plan amendments. We think this is a pretty benign revision to the site plan and in most ways less impactful.
- The Petitioner's agent did reach out to a lot of the property owners and some of the businesses within the 500' notification radius. Mailings from the petitioner were not sent out, most fall within the Gateway site plan.
- The Petitioner and his agent are here, and I am here, if you have any questions.

AGAINST:

Hal Boyle, 176 YWCA Way, Winston-Salem, NC 27127

- Between me and Ms. Roberts, we own five (5) acres in this area.
- It's been less than a week and we never received a notice and would like more time to understand the project. The YWCA never received a notice either. Two of the notices were returned back to the City.
- We don't oppose this request, we just want to understand it, and in that understanding consider what other areas in this high-density area is already approved for residences.
- I would like to have a restaurant there, as a neighbor, as part of that plan.
- The parking at the Brownsfield development is a nightmare. This site is used as a lot of overflow parking with all the activities going on this area.

Kelly Roberts, 1111 South Marshall Street, Winston-Salem, NC 27101

- There have been constituents in this area that have had a vested attachment to the gateway for several years.
- We own property and have had a business there for seven (7) years. The outreach effort overlooked us and even went farther outside the 500' radius. We are the closest constituents to this property.
- As property owners and business owners we would like more time to learn more about the project.

WORK SESSION

Gary Roberts shared with the Board the process of how the subject notice and neighbor notices are sent out utilizing tax office information, and reviewed the notices that were returned back to the City. The Planning Board and staff discussed the notices that were returned, and why they were returned. The Roberts' notice was returned due to a wrong suite number in the tax listing, and the YWCA with a wrong address in the tax listing. Kelly Roberts noted again her concern over the fact that the Petitioner proactively reached out to property owners beyond the 500' radius when she and Mr. Boyle who were within or closest to the 500' radius didn't receive anything, nor were they reached out to by the Petitioner.

It was noted that the zoning signs were put up by May 30th.

It was agreed that everyone would like to see more development in this community.

The Petitioner agreed to continue the request to the July 12 Planning Board meeting.

MOTION: George Bryan made a motion to continue W-3372 to the July 12 meeting.

SECOND: Melynda Dunigan

VOTE:

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

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3372
JULY 12, 2018**

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Steve Causey, Allied Design, 4720 Kester Mill Road, Winston-Salem, NC 27103

- We have had discussions with the opposition since the last hearing, and I am available to answer any questions the Board may have.

AGAINST:

Kelly Roberts, 408 Salem Avenue, Winston-Salem, NC 27127

- A neighborhood meeting was held several weeks ago where several constituents in the nearby area, including the Gateway, attended, as well as some neighborhood associations.
- Several aspects were discussed, including parking.
- I do not think the project would be hindered as long as everyone is willing to work through the parking situation together.

Hal Boyle, 176 YWCA Way, Winston-Salem, NC 27127

- I'm pro Gateway, greenway and strollway, and pro community. I am glad to see some traction in this area.
- We enjoy taking visitors on e-bike tours and Segway tours. I'm interested in the whole future of the community and would like to continue to be included in what's going on in the community.
- I believe there are other places we can put a high-density apartment complex. I'm also concerned about the parking. (Mr. Boyle presented photos of parking to show on the overhead). I would defer to you good folks on the parking. There is one way in and one way out.
- I continue to be concerned about the density and the traffic, ingress and egress, and traffic flow, pedestrian flow. We are taking away pedestrian flow, taking away that bridge. As we take customers on that route, we want to avoid having to look at clutter.

WORK SESSION

The question was raised as to whether the current parking spaces were going to be dedicated to the apartment owners or whether they were going to be shared uses.

Gary Roberts explained that the approved plan included a couple hundred parking spaces more than was required for the uses to date, including this proposal, and that it was up to the developer to work through the parking, but that all parking would be shared space.

Paul Norby reminded the Board that mixed use development involves shared parking. And as far as shared parking, peak hours for business would be different than peak hours for residential. He also noted that there is still room for a restaurant adjacent to the greenway in a future place should someone want to put one in, and that the parking situation would be monitored and adjusted as future phases of development occur. Paul also pointed out that mixed use must have density and uses must be balanced. Staff does not believe anything is being given up with the change of a restaurant to an apartment complex, and that the market for commercial uses in the mixed-use development is being enhanced by the marketability of this becoming a mixed-use development by bringing in more housing.

MOTION: Clarence Lambe moved approval of the zoning petition and certified that the site plan (including staff recommended conditions) meets all UDO requirements if the petition is approved.

SECOND: Chris Leak

VOTE:

FOR: Melynda Dunigan, Jason Grubbs, Tommy Hicks, Arnold King, Clarence Lambe, Chris Leak

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services