

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>			
<b>Docket #</b>	W-3412		
<b>Staff</b>	<a href="#">Gary Roberts, Jr. AICP</a>		
<b>Petitioner(s)</b>	ONE77, LLC		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	PIN 6835-20-8507		
<b>Address</b>	1137 South Poplar Street		
<b>Type of Request</b>	Site Plan Amendment for MU-S zoned property (W-2736)		
<b>Proposal</b>	<p>The petitioner is proposing to amend the previously approved site plan to allow a single mixed-use building where two were shown. The approved uses from the previously approved zoning case (W-2736) for this site are:</p> <ul style="list-style-type: none"> <li>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</li> </ul>		
<b>Neighborhood Contact/Meeting</b>	A summary of the petitioner’s neighborhood outreach is attached.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	South side of Salem Avenue and west side of South Marshall Street		
<b>Jurisdiction</b>	City of Winston-Salem		
<b>Ward(s)</b>	South		
<b>Site Acreage</b>	± 23.67 acres (entire MU-S site); subject property is ± 4 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	LI and MU-S	Residences (across Salem Avenue) and Gateway Family Medicine
	East	MU-S	Undeveloped property, commercial and multifamily residential uses

	South	MU-S	YWCA			
	West	MU-S	Unoccupied commercial building 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 approved uses are not proposed to change and they are complimentary with the existing mixture of uses permitted on adjacent properties.					
<b>Physical Characteristics</b>	The site is grassed and essentially flat.					
<b>Proximity to Water and Sewer</b>	The site is served with public water and sewer.					
<b>Stormwater/ Drainage</b>	The site is exempt from stormwater management based on Section 75-105(e) of the Post Construction Stormwater Management ordinance which allows for plans submitted and approved prior to the effective date of the ordinance (September, 2008) to be excluded from the ordinance provisions. The subject property was included in the overall Salem Gateway development area that has received prior approvals and thus meets this ordinance exemption.					
<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 abuts Salem Creek; however, the majority of the site is elevated slightly above the associated regulatory floodplain. Any development within the floodplain will necessitate a Floodplain Development Permit. Otherwise, the site appears to be suitable for the proposed improvements.					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3372	MU-S Site Plan Amendment for W-2923	Approved 8/6/2018	Directly east	.28	Approval	Approval
W-2923	MU-S Site Plan Amendment for W-2736	Approved 4/16/2007	Included current site	23.67	Approval	Approval
W-2736	HB, GI, IP, and LI to MU-S Two Phase	Approved 12/6/2004	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
Salem Avenue	Minor Thoroughfare	294 feet	6,100	13,800
South Marshall Street	Private Street	±400 feet	N/A	N/A
South Poplar Street	Private Street	±265	N/A	N/A
<b>Proposed Access Point(s)</b>	The site will continue to be accessed from Salem Avenue, South Poplar Street and South Marshall Street.			
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: MU-S</u>  16,600 sf / 1,000 x 44.32 (Specialty Retail Center Trip Rate) = 736 Trips per Day + approximately 30 apartment units x 6.65 (Apartment Trip Rate) = 200 Trips per Day = 936 Total Trips per Day</p> <p><u>Proposed Site Plan Amendment</u>  40 units x 6.65 (Apartment Trip Rate) = 266 Trips per Day + 5,300 sf / 1,000 x 44.32 (Specialty Retail Center Trip Rate) = 235 Trips = 501 Total Trips per Day</p>			
<b>Sidewalks</b>	Sidewalk is located along Salem Avenue, and a 12-foot-wide sidewalk will be installed along South Marshall Street to connect with the Salem Creek Greenway.			
<b>Transit</b>	WSTA Routes 100 and 104 run along South Main Street approximately 350 feet to the east.			
<b>Transportation Impact Analysis (TIA)</b>	A TIA was submitted for the initial MU-S rezoning (W-2736) and it was updated for a subsequent Site Plan Amendment (W-2923).			
<b>Analysis of Site Access and Transportation Information</b>	<p>The proposed site plan shows access will continue to be provided from Salem Avenue, South Poplar Street and South Marshall Street. The approved plan showed an east-west driveway and parking area between the proposed building and the greenway. The proposed plan moves the building closer to the public greenway and aligns said driveway opposite the meridian in the center of Marshall Street. Consistent with the approved plan, the request also includes a private street connection to the undeveloped property to the west.</p> <p>Because the request does not include the amount of retail space as did the approved plan, the estimated trip generation is significantly lower. Staff believes the proposed amendment is appropriate because of its proximity to the greenway, the strollway, sidewalks, and transit. The site is also within convenient walking distance to a variety of nonresidential uses.</p>			
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS				
Building Square Footage	Square Footage		Placement on Site	
	114,500		Southeastern side of the site, fronting on South Marshall Street.	

<b>Units (by type) and Density</b>	40 multifamily units on 4 acres = 10 units per acre.		
<b>Parking for the overall MU-S site</b>	<b>Required</b>	<b>Proposed</b>	<b>Layout</b>
	599 spaces	844 spaces	Mixture of angled on-street, conventional parking lot and interior garage parking
<b>Building Height</b>	<b>Maximum</b>		<b>Proposed</b>
	N/A		Five stories
<b>Impervious Coverage</b>	<b>Maximum</b>		<b>Proposed</b>
	N/A		59.64 percent
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Chapter B, Article II, Section 2-1.5 (C) MU-S Mixed Use – Special Use District</li> <li>Chapter B, Article II, Section 2-5.64 Residential Building, Multifamily Use Conditions</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>	Yes	
	<b>(C) Subdivision Regulations</b>	N/A	
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	<p>The site plan accommodates a five-story mixed use building with 5,300 square feet of retail on the first level along with 40 apartment units on the next four levels. The MU-S district is intended to accommodate a comprehensively planned, pedestrian oriented mix of three (3) or more distinct land uses with greater development flexibility in exchange for certain planning and design considerations. This district also provides a 30% reduction from the minimum parking requirements. The subject property is part of a larger MU-S zoned site with shared parking. The site will utilize a combination of on and off-street parking spaces which includes 40 interior spaces on the first level.</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>Encourage a mixture of residential densities and housing types through land use recommendations.</li> <li>Promote quality design so that infill does not negatively impact surrounding development.</li> <li>Promote compatible infill development that fits with the context of its surroundings.</li> </ul>		
<b>Relevant Area Plan(s)</b>	<i>South Central Winston-Salem Area Plan Update (2015)</i>		
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>The parcel is recommended for mixed-use development.</li> <li>The Southeast Gateway is intended to be developed as an urban village with a wide mix of uses and good pedestrian access.</li> <li>Well designed multifamily housing can add to the character of a neighborhood, increase pedestrian activity, reduce automobile trips,</li> </ul>		

	and support transit.
<b>Site Located Along Growth Corridor?</b>	The site is not located along a growth corridor.
<b>Site Located within Activity Center?</b>	The site is located within the Southeast Gateway Activity Center.
<b>Greenway Plan Information</b>	The Salem Creek Greenway is located directly to the south, adjacent to the subject property. The site plan proposes two connections to the greenway.
<b>Other Applicable Plans and Planning Issues</b>	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 million in the acquisition and clearance of the overall Southeast Gateway property and approximately \$1 million for site preparation, remediation, and infrastructure improvements.
<b>Addressing</b>	Building floor plans will be needed prior to assign addresses.
<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>
	Yes. A recent Site Plan Amendment converted a previously approved one-story restaurant into a four-story, 32-unit apartment building on the site located directly to the east (W-3372).
	<b>(R)(4) - Is the requested action in conformance with Legacy 2030?</b>
	Yes
<b>Analysis of Conformity to Plans and Planning Issues</b>	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 four-story building with a five-story building on the southern end of the site. The building pad on the central portion of the site adjacent to Gateway Family Medicine is not detailed in this request and would necessitate another Site Plan Amendment. While both the approved and proposed buildings are predominately multifamily and have a comparable number of residential units, the proposed plan would convert much of the ground level retail shown on the approved plan to interior garage parking. Additionally, the approved plan placed an east-west driveway and parking area in a location that served as a separation between the building and the Salem Creek Greenway. The proposed plan moves the building closer to the public greenway. The driveway/private street would align with another driveway opposite the meridian in the center of Marshall Street.
	In further recognition of the greenway, the developer has agreed to provide an outdoor patio area between the proposed building and the

greenway. Both Planning and Transportation staff believe this more intentional effort to recognize and celebrate a public recreational amenity will have mutually beneficial results. Combined with the balconies shown on the proposed elevations, staff hopes that more “natural surveillance” of this section of the greenway will occur.

Previous Site Plan Amendments in the Southeast Gateway area have adjusted the location and mixture of approved uses. Such adjustments are the reality of market forces and sometimes may result in a more desirable and livable arrangement than the approved plan. While staff continues to look toward fulfillment of the original mixed-use, urban village concept, staff is also cognizant of shifting market demands and development trends in the 15 years since approval of the original MU-S zoning. Staff welcomes the request which would increase the number of residential units in this development while providing a mixture of uses within the proposed five-story building *and* on the building pad directly to the north.

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<b>Positive Aspects of Proposal</b>	<b>Negative Aspects of Proposal</b>
The proposed multifamily component is within walking distance of multiple institutional, cultural, and recreational facilities and is well served by sidewalks, the Salem Creek Greenway, and transit.	The approved plan included more retail square footage.
The request represents a new and substantial addition to the Southeast Gateway development.	
The estimated trip generation is significantly lower than what could be expected with the approved site plan.	
The proposed building design and materials are complementary with those of the existing buildings within the overall Southeast Gateway.	
The request represents a long term, collaborative redevelopment effort between various public and private entities.	

**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 Division.
  
- **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. All rooftop mechanical

- equipment shall be screened from view of adjacent streets.
- b. Developer shall record a cross access easement to adjacent PINs 6835-20-5450 and 6835-20-9715.
- **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.

**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-3412  
MAY 23, 2019**

Desmond Corley presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST:

Jack Miller, 1010 South Poplar Street, Winston-Salem, NC 27101

- We are in favor of the property; however, we do have concerns about traffic issues. The street that is to be made a through street merges with a set of bottleneck streets. Poplar Street that intersects with Salem Avenue puts a lot more traffic into an area that is already very deficient.
- We have a lot of accidents at the intersection of Salem Avenue and Broad Street. There needs to be a roundabout in that area to slow the traffic down.
- We think the project itself is fantastic and would be great for the neighborhood, if we can get the traffic concerns addressed.

**WORK SESSION**

George Bryan noted that the south facing façade of the condominium appeared to be solid with no windows.

John Neil Tate, 321 Susanna Drive, Kernersville, NC 27284.

Mr. Tate confirmed that the south façade wall did contain windows.

There was discussion about shared parking and Desmond Corley expressed that the shared parking concerns have been resolved, and that all parties are agreeable to the proposal.

There was discussion of the change in driving patterns due to Business 40 being closed and the problems that exist at the Broad Street intersection.



Chris Murphy pointed the Board to the Site Plan Amendment and traffic patterns as it relates to the plan itself. With respect to traffic generation, the trips per day will be decreased because of less retail.

Mr. Miller pointed out that the fact that the front part of the building was initially going to be one story and is now going to be a five-story building.

MOTION: Clarence Lambe recommended approval of the site plan amendment.

SECOND: George Bryan

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