

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3578
Staff	Bryan D. Wilson
Petitioner(s)	Vanguard Properties of Winston-Salem, LLC & Ramey Development Corporation
Owner(s)	Same
Subject Property	PINs 6854-34-9337 and 6854-33-1619
Address	The vacant site is currently unaddressed
Type of Request	Special Use Rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential, Single Family –9,000 square foot minimum lot size) and LI (Limited Industrial) to RM18-S (Residential, Multifamily – 18 units per acre). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Residential Building, Multi-Family; Residential Building, Townhouse; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Single Family; and Planned Residential Development <p>NOTE: General, Special Use Limited, and Special Use zoning were discussed with the petitioner(s), who decided to pursue the rezoning as presented. With a General Use request, all uses in the district must be considered.</p>
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.
Zoning District Purpose Statement	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 Growth Management Areas 1 and 2 and may be suitable for Growth Management Area 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.
Rezoning Consideration from Section 3.2.19 A 16	<p>Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is within GMA 3, has adequate access to public utilities, and is located along a minor thoroughfare. The request proposes a density of less than 8 units per acre.</p>
GENERAL SITE INFORMATION	
Location	East side of Cole Road, north of US 311 and south of Interstate 40
Jurisdiction	Winston-Salem
Ward(s)	Southeast
Ward(s) July 2023	Southeast
Site Acreage	± 55.95 acres

Current Land Use	The site is currently undeveloped.					
Surrounding Property Zoning and Use	Direction	Zoning District	Use			
	North	RS9, RM12-S, and RM8-S	Interstate 40			
	East	RS9	Undeveloped property			
	South	RS9	Single-family homes and undeveloped property			
	West	RS9	Single-family homes			
Rezoning Consideration from Section 3.2.19 A 16	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	Yes, the site is largely surrounded by single-family zoning districts. The proposed multifamily apartments are located internally to the site, away from existing single-family homes. The western portion of the site is proposed to contain attached townhomes, which are generally considered to be a compatible land use with single-family zoning districts.					
Physical Characteristics	The undeveloped site has significant and varying sloping topography. There is one designated stream running through the western portion of the site.					
Proximity to Water and Sewer	This site has access to public water along this section of Cole Road and public sewer exists within the property along a stream bank.					
Stormwater/ Drainage	Stormwater and runoff drainage will be managed by eight proposed devices located throughout the site.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The site is currently undeveloped and heavily wooded. The site contains sloping topography and an identified stream. The site has adequate access to public utilities and is not located within a water supply watershed.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2786	RS9 to RM8-S	Denied 10/24/2005	Southwest	39.39	Approval	Approval
W-2560	RS9 to RM12-S	Approved 8/5/2002	West	5.63	Approval	Approval
W-2237	RS9 to LI	Approved 11/2/1998	Portion of current request and south	4.17	Approval	Approval

W-2016	MU-S to MU-S	Approved 12/18/1995	West	32.28	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Cole Road	Minor Thoroughfare	900 feet	1,654	15,636		
Proposed Access Point(s)	The proposed site plan shows two access points along Cole Road.					
Proposed Road Improvements	The developer will be required to provide left and right turn slip lanes with 50 feet of storage at both proposed entrances to accommodate anticipated traffic generation. The developer will also be required to dedicate 45 feet of additional right-of-way from the centerline of Cole Road along the frontage.					
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RS9</u> 59.95 acres/9,000sf = 290 homes x 9.57 (single-family trip rate) = 2,777 trips per day</p> <p><u>Proposed Zoning: RM18-S</u> 354 units x 6.65 (apartment trip rate) + 78 units x 5.81 (residential townhouse trip rate) = 2,804 trips per day</p>					
Sidewalks	The developer will provide fee-in-lieu for sidewalks along the site frontage of Cole Road.					
Transit	The closest transit stop is approximately 1.2 miles north of the site at the intersection of Broadbay Drive and Waughtown Street. No other transit location is within the vicinity of the site.					
Connectivity	The proposed site plan shows two separate access points along Cole Road. There are two internal streets which would cross an unnamed stream to access the apartments in the eastern portion of the site. No new public streets are proposed within the proposed development.					
Transportation Impact Analysis (TIA)	The submitted TIA did not propose any additional improvements. WSDOT has required additional turn lanes with storage to provide safe turning movements into the development.					
Analysis of Site Access and Transportation Information	The proposed development includes two new access points, with two private streets crossing an unnamed stream to serve the apartments located on the eastern part of the site. Staff analyzed potential opportunities for future connectivity and found that on-site topography and natural features prevent any rational future connections to neighboring properties. Despite the lack of connectivity, the proposed development access points provide sufficient access to the site while minimizing potential negative impacts on the surrounding environment.					

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	213,615sf; includes 78 townhome units and 3/4-story apartment buildings		All townhomes are located on the western portion of the site. All apartment buildings are located on the eastern portion of the site.
Units (by type) and Density	<ul style="list-style-type: none"> • Three-bedroom townhomes- 78 units • One-bedroom apartments– 34 units • Two-bedroom apartments– 107 units • Three-bedroom apartments– 213 units <p>Total apartment units: 354 Total Units: 432</p>		
Parking	Required	Proposed	Layout
	821	889	Internal garages and head-in surface parking
Building Height	Maximum		Proposed
	60 feet		Three- and four-story buildings
Impervious Coverage	Maximum		Proposed
	80%		28.34%
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 4.5.14: RM18; Residential Multifamily District • Section 5.2.71: Residential Building, Multifamily; Residential Building, Townhouse; or Residential Building, Twin Home (W) (use-specific standards) • Table 6.1.2: Motor Vehicle and Bicycle Parking Space Requirements 		
Complies with Section 3.2.11	(A) Legacy 2030 policies:	Yes	
	(B) Environmental Ord.	N/A	
	(C) Subdivision Regulations	Yes	
Analysis of Site Plan Compliance with UDO Requirements	<p>The proposed site plan illustrates nine multifamily apartment buildings with required open space on the eastern portion of the site and 78 townhomes on the western portion of the site. The plan proposes two entrances to the development and shows all required internal sidewalk connections. Additionally, the site plan shows a 20-foot Type II bufferyard around the perimeter of the site, as well as an additional 40-foot buffer along the Cole Road frontage to provide extra screening. Stormwater on site is proposed to be managed with eight separate stormwater devices.</p>		
CONFORMITY TO PLANS AND PLANNING ISSUES			
Legacy 2030 Growth Management Area	Growth Management Area 3 – Suburban Neighborhoods		
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Encourage a mixture of residential densities and housing types through land use recommendations. 		

	<ul style="list-style-type: none"> • Create new and enhance existing neighborhoods, emphasizing connectivity, walkability, a variety of land uses, and access to services and institutional uses. • Design to preserve the natural features of a site, such as its topography and views, when developing land.
Relevant Area Plan(s)	<i>Southeast Suburban Area Plan Update (2016)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The area plan recommends industrial uses for the subject property.
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.
Comprehensive Transportation Plan Information	The <i>Comprehensive Transportation Plan</i> recommends sidewalks on both sides of this section of Cole Road.
Greenway Plan Information	The <i>Greenway Plan Update</i> recommends a future greenway expansion along this section of Fiddler’s Creek. The developer has provided the required 40-foot easement as a part of this request.
Rezoning Consideration from Section 3.2.19 A 16	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	<p>The request is to rezone an approximately 55.95-acre site from RS9 and LI to RM18-S. The request proposes a mixture of 354 apartment units and 78 townhomes.</p> <p>The proposed density of 7.72 units per acre is comparable to that of an RM8 district, but the petitioner has requested the RM18 district to allow for a maximum building height of 60 feet. The proposed plan is sensitive to the surrounding single-family homes, with all nine apartment buildings located on the eastern portion of the site and the townhome units located to the west.</p> <p>Although the <i>Southeast Suburban Area Plan Update</i> recommends industrial land use at this location, further analysis by staff found that the site’s topography, streams, and limited access constrain its ability to support future industrial development. Additionally, the site is close to existing single-family homes and other multifamily development to the west. <i>Legacy</i> encourages the development of a mixture of housing types throughout the serviceable land area.</p>

	While the request is expected to significantly increase traffic near the site, Cole Road will still be under capacity even if this site is developed as proposed.
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CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The request would provide needed additional housing in the serviceable land area.	The request is not consistent with the specific land use recommendation of the area plan.
The request is generally consistent with the recommendations of <i>Legacy 2030</i> .	
The request would not significantly impact the traffic capacity of Cole Road.	

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 GRADING PERMITS:**
 - a. The developer shall submit a stormwater management study for review by the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved. Relocation or installation of any stormwater management device into any buffer areas or existing vegetated areas designated to remain, or in close proximity to adjacent property with residential zoning, shall require a Staff Change approval at minimum and may require a Site Plan Amendment.
 - b. Developer shall cordon off all areas shown on the site plan as stream buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.
 - c. Developer shall obtain a driveway permit from WSDOT; additional improvements may include but are not limited to:
 - Installation of a 50-foot-long left and right turn storage lanes at both entrances along Cole Road.
 - Dedication of additional right-of-way per WSDOT requirements.
 - Provide fee-in-lieu for sidewalk installation along the frontage of Cole Road.

- **PRIOR TO SIGNING OF FINAL PLATS:**
 - a. All documents, including covenants, restrictions, and homeowners’ association agreements, shall be recorded in the office of the Register of Deeds. Final plats must show common open space declarations. Covenants relating to stormwater must be approved by the City of Winston-Salem Stormwater Division.
 - b. Developer shall build proposed streets to UDO street standards.
 - c. Final plat shall show lots, common areas, streets, and utilities.
 - d. Developer shall complete all requirements of the driveway permit.

e. The final plat shall include the dedication of a 40-foot greenway easement along the north side of Fiddlers Creek. The easement shall begin outside of the undisturbed portion of the required stream buffer per the Stormwater Management Ordinance.

- **PRIOR TO 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 ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**

- 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; 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-3578
APRIL 13, 2023**

Bryan Wilson presented the staff report.

George Bryan asked if there were any site issues with the proposed development, to which Bryan replied he is not aware of any.

PUBLIC HEARING

FOR:

Steve George, representative with CSC Group, the petitioner.

- Mr. George stated he is available to answer any questions, and that this is his company's first development venture in Winston-Salem.

George Bryan asked if the neighbors had expressed any concerns to Mr. George, who replied that there were only a few residents who participated in the neighborhood outreach calls. One neighbor expressed a desire to sell an adjacent property to the developer.

AGAINST:

John Mark Hendrick

- Mr. Hendrick stated there are already several multifamily developments in the area. He noted that this is a high crime area. His other concerns related to an increase in crime and traffic, and a decrease in property values.

Greg Richardson

- Mr. Richardson stated his family has lived on Cole Road for multiple generations. He is concerned with the crime in the area and feels it will increase with approval of the proposed development.

Andrew Warrington

- Mr. Warrington recently moved to the area and commented on the high crime rate caused by the local apartments and is concerned about increased crime due to the proposed development. He is also concerned about an increase of traffic.

WORK SESSION

Board members discussed the community's concerns with crime and traffic in the area.

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

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Jason Grubbs, Clarence Lambe, Chris Leak, Salvador Patiño, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Jason Grubbs, Clarence Lambe, Chris Leak, Salvador Patiño, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

Chris Murphy, AICP/CZO
Director of Planning and Development Services