

STAFF REPORT

DOCKET # UDO-275

STAFF: Kirk Ericson

REQUEST

This UDO Text Amendment is proposed by City-County Planning and Development Services staff to revise Chapter B of the *Unified Development Ordinances* (UDO) to amend the Winston Overlay District requirements.

BACKGROUND

The Winston Overlay (WO) District was established in 2010 by City Council to set basic, supplementary design requirements for new and substantially redeveloped buildings in the central core of Downtown Winston-Salem (the district boundaries are shown in **Exhibit A**). These overlay requirements were established in addition to the requirements of the underlying zoning district, such as the CB (Central Business) District. Current WO District requirements include the basic site and building design requirements of façade build-to lines, parking location requirements, and minimum standards related to door location and façade transparency on the ground floor of buildings within the district. As part of the Planning Board's adopted 2016-17 work program, staff was directed to discuss the possibility of updating and revising the current Winston Overlay District requirements with the Downtown Winston-Salem Partnership (DWSP).

Planning staff met with DWSP staff in August 2016 to determine whether there is a need to expand the current WO requirements. DWSP staff are of the opinion that there is a need to expand the current requirements of the WO district to continue improving the character of new development downtown. DWSP staff believe that now would be an ideal time to make these changes, as construction in downtown is expected to continue at an accelerated pace in the coming years.

Several possible areas of WO District revision, many of which are included in the ordinances of our peer cities, were discussed by Planning and DWSP staff. These potential ordinance provisions were presented conceptually to the Planning Board at its work session in September 2016. At that time, the Board agreed to have staff develop these concepts into ordinance language and get feedback from the Downtown community before scheduling a public hearing on a WO District text amendment.

ANALYSIS

Between September 2016 and February 2017, staff held discussions on possible revised WO District provisions with the Planning and Executive Committees of the DWSP, the full DWSP Board of Directors, and other Downtown stakeholders. Based on that feedback, staff is proposing modifications to five different elements of the overlay district, which are as follows:

- Requiring street-adjacent ground floor residential units to have a finished floor elevation of at least three feet above street level. A historical pattern for downtown residences

being raised several feet from the street exists in many older urban cities as well as in newer urban developments in cities such as Charlotte. This grade separation gives residents privacy from passersby while still allowing buildings to be located directly adjacent to the sidewalk. Implementing this requirement would help preserve urban character while improving the living experience for downtown residents.

- Requiring the street-facing facades above the ground floor of buildings within the WO District to be at least 25% transparent. Currently, the ordinance requires ground floor facades to exhibit 50% transparency through the use of windows and doors, but does not include minimum transparency standards for upper level floors. This current requirement could allow a towering, mostly blank facade to be constructed in our Downtown core as long as it exhibited street level transparency. The proposed provision would ensure that new street-facing facades would fit in with the established character of buildings in the overlay district and provide opportunities for visual connection between the inside of buildings and the street. For example, existing older buildings Downtown such as the Pepper Building and newer buildings such as Trader's Row generally exhibit upper floor transparency of between 25% and 40%. The 25% upper level facade transparency requirement would also ensure design flexibility in satisfying the fire protection and energy usage standards of the building code.
- Establishing design standards for new parking structures. Poorly designed parking structures can have a significant negative impact on the visual and pedestrian character of a downtown. This amendment proposes the ground floor of new parking structures to contain active land uses along at least 50% of their street-facing facades. Active land uses may be commercial, office, residential, or institutional in nature. Additionally, these uses must include transparent windows and doors along 50% of their street-facing facades. This provision will help improve the compatibility of parking structures with the pedestrian character of Downtown Winston-Salem. This amendment also proposes that street-facing facades of new parking structures include decorative design elements in their upper levels. These design elements could include features such as shimmer walls, public art, or other decorative detailing.
- Prohibiting the construction of future aerial overstreet pedestrian connectors over Fourth, Fifth, Trade, Liberty, Main, Cherry, Marshall, and Spruce Streets. Such connections are relatively rare in Winston-Salem currently and staff is not aware of any proposals to construct new overstreet connections on these streets. However, in some cities, overstreet connections have reduced pedestrian activity on the street below. Including this as an ordinance provision for the critical streets listed above would ensure that the pedestrian character and vitality of these streets would be retained.
- Allowing moving or flashing neon signs in the WO District (*non-flashing* neon signs are already allowed city-wide). While flashing signs are currently prohibited city-wide, DWSP staff believe such signs could enhance the unique pedestrian character of downtown retail, restaurants, and bars. Additionally, this amendment would prohibit electronic message boards within the WO District except for Stadiums, Coliseums, or Exhibition Buildings. Electronic message boards are appropriate for these facilities given the unique requirements of facilities hosting frequently changing events.

As previously stated, Planning staff consulted with the DWSP staff and the organization's citizen members extensively during the development of these ordinance provisions. Staff also held a public drop-in meeting on the amendment which drew various stakeholders including members of the commercial and residential real estate/development community, commercial parking managers, citizens, and City Council members. Most citizen comments regarding the proposed amendment were generally positive. Staff believes the proposed ordinance is responsive to the desires of Downtown stakeholders and will help enhance the compatibility of future development in the overlay district. Staff recommends approval of this amendment.

RECOMMENDATION

APPROVAL