

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-2936
Staff	Aaron King
Petitioner(s)	Brookstown Development Partners, LLC
Owner(s)	Multiple property owners
Subject Property	Tax Lots 117C, 118B, 119, 124A, and 201-203, Tax Block 97; Tax Lots 1, 2A, 2B, 3A, 3B, 101A, 101C, 101D, 104, 106, 108A, 110, 201, 202A and 202B, Tax Block 98; Tax Lots 12-15, 106, 107, 110, 111B, 112, 113B, 115B, 117B, 120C, 121, 201B, 202, and 303, Tax Block 103; Tax Lots 18B, and 19, Tax Block 104; Tax Lots 102-104, 106, 107, 114, 201-203, 204 and 206A, Tax Block 635; Tax Lots 3, 4, 7A, 7B, and 102-108, Tax Block 636; Tax Lots C, 1-12, 1B, 2B, 2W, 5S, 6S, 9P, 10P, 11P, 13W, 100A, 102-105, 106B, 106C, 107B, 107C, 108, 109, 110A, 110B, 111-119, 201B, 202, 505B, and 506B Tax Block 637; Tax Lots 1B, 2B, 3B, 4B, 5B, 10, 12-19, 22B, 23B, 24B, 25B, 29-32, and 103-105, Tax Block 638; Tax Lots 2-5, 6B, 7, 8B, 23A, 23B, 101-115, 116A, 116B, 118, 121, and 122, Tax Block 639; Tax Lots 5-8, 19, 104B, and 105B, Tax Block 640; and Tax Lots 109, and 111, Tax Block 659
Type of Request	Special use, two-phase rezoning for a baseball stadium and a mixture of other land uses.
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RSQ (Residential Single Family Quadraplex); LO (Limited Office); PB (Pedestrian Business); HB (Highway Business); LB-S (Limited Business – Special Use Zoning); and PB-S (Pedestrian Business – Special Use Zoning) to PB-S (Pedestrian Business – Special Use Zoning [Two-Phase]). The petitioner is requesting the following uses:</p> <p>Residential Building, Duplex; Residential Building, Multifamily; Residential Building, Single Family; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Urban; Combined Use; Congregate Care Facility; Fraternity or Sorority; Life Care Community; ABC Store; Arts & Crafts Studio; Convenience Store; Food or Drug Store; Furniture & Home Furnishings Store; General Merchandise Store; Hardware Store; Motorcycle Dealer; Nursery, Lawn & Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Funeral Home; Health Services, Miscellaneous; Hotel or Motel; Medical and Surgical Offices; Medical or Dental Laboratory; Motor Vehicle, Rental and Leasing; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Swimming</p>

	Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Adult Day Care Home; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Neighborhood Organization; Nursing Care Institution; Police or Fire Station; Post Office; Postal Processing Facility; School, Private; School, Public; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Access Easement, Private Off-Site; Broadcast Studio; Helistop; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities.
Zoning District Purpose Statement	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.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)? The subject request is consistent with the PB purpose statement in that it would “accommodate office, retail, service, institutional, and higher density residential uses.” The PB district would also allow for design elements listed above to be integrated into the project, which is consistent with the type of development desired for the downtown area.
GENERAL SITE INFORMATION	
Location	North of Business 40, west of Broad Street, south of Second Street and Brookstown Avenue, and east of Burke Street
Jurisdiction	City of Winston-Salem
Ward(s)	Northwest
Site Acreage	Approximately ± 28.35 acres
Current Land Use	The subject property contains a mixture of uses that range from single family homes to various commercial uses to undeveloped land.

Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	HB & PB	Warehouse, offices, and various commercial uses
	East	PB, PB-S, and HB	Single family homes, gas station, and various commercial uses
	South	RM-5 & RM-5-S	I-40
	West	RSQ & PB	Single family homes and various commercial uses
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?		
	Yes, the overall development would be compatible with the surrounding area. The project has been marketed as an urban mixed use development that would incorporate a variety of uses, and would serve the downtown area. As with any large-scale stadium project, some adjacent residents may experience impacts due to additional lighting and noise.		
Physical Characteristics	The first phase, the ballpark property, slopes down from First Street (+/- 920 ft.), Green Street (+/- 910 ft.), and Peters Creek Parkway (+/- 900 ft.) to the southwest corner of the Business I-40 exit ramp (+/- 820 ft). The site contains no streams or wetlands.		
Proximity to Water and Sewer	The site has access to public water and public sanitary sewer.		
Stormwater/ Drainage	A stormwater study will be required.		
Watershed and Overlay Districts	The subject property is not located within a water supply watershed.		
Historic, Natural Heritage and/or Farmland Inventories	<p>The portion of the project where the proposed baseball stadium is located was documented in the 1993 African-American Historic Resources Inventory for Winston-Salem, as well as the report "Winston-Salem's African-American Neighborhoods: 1870-1950." This report outlines a brief history of the Watkins and Granville Streets area. The following is taken directly from that report:</p> <p>"...little is known about the establishment of this area as a black neighborhood. Located in the western portion of the West End neighborhood, the land had been owned by Nathaniel T. Watkins, a well-to-do white man who died about 1891, and though he died without a will, he left 'a considerable personal estate and a large landed estate,' with real estate consisting 'principally of unimproved lots and of lands lying near Winston-Salem.' Watkins was part owner of Watkins, Burton & Watkins, a general merchandise store, and lived in a prominent part of town at the northeast corner of Second and Church streets. Several lots in the Granville/Watkins area were rented to tenants, apparently before Watkins' death, on Peachtree and Watkins streets as well as Green, Shallowford, and Broad streets.</p>		

It is unclear whether the Watkins children developed the area, but is more likely that the land was developed by others such as the Carters, a white family who built several houses and rented them out on what is today's Carter Street (possibly the B Street shown on early maps). Cotton and Green streets were occupied by whites. Blacks lived on Watkins, Granville, and Peachtree streets, and Peachtree Alley, as well as other streets now gone. (Peachtree [now gone] was farther east and parallel to Granville. Peachtree Alley [also gone] was farther north, parallel to Watkins. All houses on both Peachtrees are gone.) Many of the black women who lived in the area were domestic servants for white families in West End or on Spring and Broad streets. In some families, the men worked at R.J. Reynolds Tobacco Company so they could afford to buy a house, but most blacks rented, and always from whites.

The neighborhood, like so many others in the city, was partially destroyed by the introduction of new highways through its center. Interstate 40 cut through the southern portion of the neighborhood, splitting it, in the 1960s. Peters Creek Parkway was built perpendicular to I-40 and brought with it an interchange which destroyed additional houses and blocks of the neighborhood. Today, some houses from the early twentieth century remain, mostly on Watkins and Granville streets. Also remaining on Watkins Street is the small frame West End Holiness Church, built in the late 1920s or 1930s.”

Historic Resources staff believes it is important that the developer recognize the history of the neighborhood through the placement of a historic marker, as a part of Winston-Salem's Historic Marker program.

Also located on additional parcels shown as future development, particularly the area surrounding Park Circle and Peter's Creek Parkway, is housing stock dating from the first and second quarters of the 20th century. Retention of these structures is encouraged.

**Analysis of
General Site
Information**

The subject request includes 28.35 acres located in the southwest portion of downtown Winston-Salem. The site contains a varying topography, with much of the land in the first phase sloping down from the northeast toward the intersection of Peters Creek Parkway and Business I-40. The remainder of the site or second phase contains a gentle topography, as most of the land is already developed. The proposed ballpark will be located on the portion of the site closest to Business I-40 and Peters Creek Parkway with a parking lot located along First Street and Green Street. The site plan proposes retaining walls of more than ten feet in height without “benches”, which exceeds the maximum height (10’) currently allowed by the UDO. Approval of this site plan will be contingent on a UDO text amendment to allow greater retaining wall heights in GMA 1. Staff is comfortable with the increased height of the retaining wall, but does have some concern about the appearance of the wall. Since it will be highly visible from Business I-40, staff is concerned that the wall may have the appearance of a monolithic stretch of block. First phase

	approval will also be contingent upon the City Council's approval of the sale of the Watkins Street Park, which is located near the northern terminus of Granville Drive. Staff has recommended a condition of approval that would require an equal or greater amount of public park land be provided within the remaining second phase of development. Granville Drive, Beaumont Street, Watkins Street, and a portion of Green Street are petitioned to be closed in conjunction with the ballpark project. Four public alleys are also petitioned to be closed.			
Generalized Recommended Conditions	BRIEF DESCRIPTION OF CONDITION(S):			
	<ul style="list-style-type: none"> • Condition for stormwater study • Condition relating to noise • Condition relating to lighting • Additional lighting condition for the second phase • Condition requiring dedication of park land in second phase 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Peters Creek Parkway	Major Thoroughfare	+/- 1,060 ft.	7,867	42,200
Second Street	Major Thoroughfare	+/- 815 ft.	7,867	18,500
First Street	Major Thoroughfare	+/- 863 ft.	6,785	26,900
Brookstown Avenue	Minor Thoroughfare	+/- 975 ft.	2,603	14,600
Broad Street	Major Thoroughfare	+/- 1,079	15,512	30,100
Green Street	Local Road	+/- 1,199	NA	NA
Proposed Access Point(s)	The site plan proposes an access point onto Peters Creek Parkway, just north of the Business I-40 exit ramp. It proposes the main entrance to be located on Broad Street, between First Street and Business I-40.			
Planned Road Improvements	Re-signalization, realignments through public works, street closings			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning:</u> Various zoning districts Since the site contain various zoning districts, many of which are general use zoned properties, it is difficult for staff to determine the existing trip generation.</p> <p><u>Proposed Zoning:</u> PB-S The TIS submitted with this request estimates 1,283 trips per day for phase one of this project.</p>			
Sidewalks	Sidewalks exist along the majority of the street frontages included with this development, and would be required for any reconstructed road or relocated streets.			
Transit	Multiple transit routes run through this area.			

Traffic Impact Study (TIS)	A TIS has been submitted with this request and is being evaluated by WSDOT. The TIS does estimate 1,283 trips per day for phase one of this project.
Analysis of Site Access and Transportation Information	The overall ballpark project will be located in downtown Winston-Salem and will be served by a broad network of public streets. The site plan indicates that access to the site will come via Broad Street across from the Business I-40 ramp, and on Peters Creek Parkway where Beaumont Street exists today. A significant amount of traffic for this project is anticipated to be pedestrian traffic. Interdepartmental Staff recommends that the petitioner record a public access and utilities easement along the portion of Green Street that is petitioned to be closed. Although the Green Street bridge will likely never be used for vehicular traffic, it would serve as an important pedestrian linkage to the neighborhoods to the south. WSDOT has reviewed the TIS submitted with this request, and is awaiting additional information needed for that review. A final opinion of the TIS is not known at this time. The petitioner has also proposed to handle the parking requirements through alternative compliance provisions of a parking study. That study is also under review by the Public Works Department.
Generalized Recommended Conditions	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> • Condition for NCDOT and City of Winston-Salem driveway permits • Condition to close public streets and alleys as shown on the site plan • Condition requiring approved parking study • Condition for public access & utilities easement along Green St. • Condition to repair any damage to City streets • Condition for sidewalks • Condition requiring a TIS for second phase development
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	The subject property is currently located in GMA 2 (Urban Neighborhoods). However, a concurrent request to reclassify this site from GMA 2 to GMA 1 (City and Town Centers) has also been submitted.
Relevant Legacy Recommendations	Increased infill development could bring new opportunity and improved quality of life for residents within the MSA, especially for neighborhoods within the city. Increased tax base, property values, jobs closer to home and increased investment and amenities in these neighborhoods are some of the potential benefits.
Relevant Area Plan(s)	<i>South Central Area Plan (2003)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The <i>South Central Area Plan (SCAP)</i> recommends this area as an Urban Residential Gateway. The plan calls for a mix of moderate to high density residential and office uses, with some commercial uses, set in a gateway environment that will support, serve, and reconnect the established neighborhoods of West Salem, West End, and Holly Avenue, as well as support and motivate downtown redevelopment.

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?					
	No					
	(S)(4) - Is the requested action in conformance with <i>Legacy</i>?					
	Yes					
Analysis of Conformity to Plans and Planning Issues	The subject request involves a large redevelopment project located on previously under-utilized land in the downtown area. The first phase of the project is a proposed 5,500 seat baseball stadium which will be located in the area of Watkins Street and Granville Drive. The second phase consists of +/- 11 acres of surrounding property that will be developed as a mixed use project. Since this project was introduced, it has been marketed as an urban mixed use development, although the second phase area of this proposal shows no detail indicating that. Staff is supportive of this mixture of uses in the downtown area and would expect that Final Development Plans (FDP) reflect a mixture of office, residential, and commercial uses in a vertical manner. This request is consistent with the recommendations of <i>Legacy</i> and the <i>SCAP</i> . The request would provide an increase to the tax base, provide new jobs, and provide an amenity for residents in the downtown area. Further consistency with the recommendations of the <i>SCAP</i> , will be determined as the FDP's are brought in for the second phase of the project.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2790	LO to PB-S	Approved 11/21/05	East	0.43	Approval	Approval
W-2778	LO to PB-S	Approved 8/2/05	East	0.46	Approval	Approval
W-2586	LO to PB-S	Approved 11/4/02	North	1	Approval	Approval
W-1175	B-3 to B-2-S	Approved 7/2/84	East	0.77	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	+/-240,000 SF(including field)		Southwest corner of the first phase property			
Parking	Required	Proposed		Layout		
	1,283 spaces	455 spaces		NA		
Building Height	Maximum			Proposed		
	60' (150' in GMA 1)			NA		
Impervious Coverage	Maximum			Proposed		
	NA			42.74%		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.3(F) PB District 					

Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:	Yes
	(B) Environmental Ord.	Yes
	(C) Subdivision Regulations	NA
Analysis of Site Plan Compliance with UDO Requirements	<p>The site plan submitted with this request includes the 5,500 seat baseball stadium for phase one of this project. This site design is contingent upon street and alley closings (Watkins St., Beaumont St., Granville Dr., and part of Green St.), a text amendment to increase the allowable height for retaining walls in GMA 1, a parking study in lieu of meeting the parking requirements of the UDO, the sale of the Watkins Street Park, and an amendment to the GMA 1 boundary. Staff supports the proposed street closings, text amendment, and sale of park land; all of which will be voted on at the same City Council meeting where this rezoning will be discussed. The City of Winston-Salem Public Works Department has reviewed the parking study and requested additional information needed for that review. At this time a final opinion of the parking study has not been rendered. Approval of the parking study would allow the petitioner to not provide the total of 1,283 parking spaces required for the ballpark. Staff feels that the site plan provides a good layout for the ballpark and has recommended that the petitioner provide elevations or cross sections of the site to demonstrate how the project would look from Business I-40 and from Peters Creek Parkway. Since there is no proposed development shown for the second phase at this time, staff cannot fully evaluate that portion of the request. As mentioned above, staff would expect a significant residential component be incorporated into the second phase design. In order to take a comprehensive look at the remainder of the site, staff would recommend that the petitioner submit a conceptual master plan for the second phase, which Final Development Plan (FDP) approval could be based on. As with any large sporting venue, sound and lighting impacts will be an issue for surrounding residents, and has been discussed between residents, the developer, the City Council representative, and staff. Staff has recommended a lighting condition that would attempt to mitigate some of the potential impacts to surrounding residents. The petitioner should work with residents in the area to try to mitigate sound impacts. In meetings with the Council member for this ward, concerns were expressed about the use tattoo parlors being located within this project. Based on those concerns, staff has included a condition to exclude that use.</p>	
Generalized Recommended Conditions	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> • Condition for retaining wall drawings • Condition for review of the plans by the Community Appearance Commission • Retaining wall material condition • Condition that requires all FDP's to go back to the City Council • Condition requiring a master plan for all second phase development • Condition prohibiting tattoo parlors 	

REMAINING SITE PLAN ISSUES	
Issue	Status
Obtain approval of the TIS and parking study	Awaiting completion of review by Public Works Department
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request is consistent with the recommendations of <i>Legacy</i> and the <i>SCAP</i> .	The ballpark may generate impacts to surrounding residents due to lighting, noise, traffic, and parking issues.
The development would provide a large, mixed use project located in downtown Winston-Salem.	It is difficult to determine how the second phase will be developed.
The project would create new jobs and increase the tax base.	The large amount of two-phase zoning provides little detail about the future mixture of uses and project design.
The ballpark should work as an economic catalyst for the downtown area.	
The development is located adjacent to downtown and would be able to attract pedestrian traffic.	
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL	
<p>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.</p> <p><u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u></p> <ol style="list-style-type: none"> a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department and NCDOT; additional improvements may be required prior to issuance of driveway permit(s). b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. c. Developer shall petition to close Watkins Street, Beaumont Street, Granville Drive, and a portion of Green Street, along with all public alleys as shown on the proposed site plan. <p><u>PRIOR TO THE ISSUANCE OF BUILDING PERMITS:</u></p> <ol style="list-style-type: none"> a. Developer shall submit plans for Community Appearance Commission (CAC) review and comment. b. The proposed retaining walls shall be constructed of materials that are complimentary to the ballpark structure. c. Developer shall obtain approval of a parking study by the City of Winston-Salem Public Works Department that includes documentation that agreements have been reached between the developer and the owners of the specified parking areas. d. Developer shall submit to and receive approval from the City's Public Works Department of a Noise Analysis Report for the baseball stadium that is prepared to the specifications of the Department and demonstrates that the noise levels at the exterior boundary of the PB-S zoning district (W-2936) for the overall development are no more than __ dB above the ambient noise in the area. e. Developer shall submit to and receive approval from the City's Public Works Department of a photometric diagram for the baseball stadium's lighting system showing that the 	

lighting levels at the exterior boundary of the PB-S zoning district for the overall development are 0.50 foot candles or less. Developer shall incorporate in the stadium lighting design measures to prevent or mitigate the effects of direct glare to surrounding neighborhoods from stadium lighting.

- f. Developer shall record a final plat in the office of the Register of Deeds.
- g. Developer shall submit sealed drawings to the Inspections Division for any retaining wall over five feet in height. All proposed retaining walls shall meet the requirements specified in the UDO.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. Developer shall record a public access and utilities easement from the Green Street bridge to the northernmost portion of the subject property, with approval from Public Works staff.
- b. Any damage to City maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the Public Works Department.
- c. The developer shall provide sidewalks along all street frontages of the first phase property where they are not currently provided. Connections from the public sidewalks to the site shall be provided.

OTHER REQUIREMENTS:

- a. All Final Development Plans shall go to the City Council for final approval.
- b. Prior to approval of any Final Development Plans by the City Council, the developer shall submit a master plan for the second phase of this development. The master plan should include proposed building locations/placements, proposed land uses, parking areas, and should incorporate the elements of an urban mixed use project. The approval authority for the master plan shall be the City Council.
- c. No Final Development Plans shall be approved until a TIS has been approved by WSDOT for the second phase of this development.
- d. The developer shall dedicate a minimum of 0.59 acres of public park land within the second phase of the development. The location of the dedicated park land shall be approved by the Recreation and Parks Director.
- e. Lighting for the second phase may be subject to further conditions through Final Development Plan review.
- f. Sidewalks shall be provided along all street frontages of the second phase property where they do not currently exist. Connections from the public sidewalks to the site shall be provided.
- g. The use Services, Personal shall be further restricted to not allow tattoo parlors.

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.**