DOCKET #: W2958

PROPOSED ZONING:
Site Plan Amendment

EXISTING ZONING:
MU-S

PETITIONER:
Place Acquisition LLC for property owned by Southeast Gateway Ventures LLC

SCALE: 1" represents 600'

STAFF: Roberts

GMA: 2

ACRES: 17.82

NEAREST BLDG: 130' east

MAP(S): 630846 630850
September 19, 2007

Place Acquisition, LLC
c/o Jeff Githens
3445 Peachtree Road NE, Suite 1400
Atlanta, GA  30326

RE:   SITE PLAN AMENDMENT W-2958

Dear Mr. Githens:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

pc:   City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
      Chad Davis, 301 Brookstown Avenue, Winston-Salem, NC  27101
      Leslie Kuntzman, 29 Gloria Avenue, Winston-Salem, NC  27127
      William Watkins, 111 Cascade Avenue, Winston-Salem, NC  27127
      Robert Vorsteg, 3620 Marlowe Avenue, Winston-Salem, NC  27106
      Philip Dickinsen, 3720 Kirklees Road, Winston-Salem, NC  27104
ACTION REQUEST FORM

DATE: September 19, 2007
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Site Plan Amendment of Place Acquisitions, LLC for property owned by Southeast Gateway Ventures, LLC

SUMMARY OF INFORMATION:

Site Plan Amendment of Place Acquisitions, LLC for property owned by Southeast Gateway Ventures, LLC for MU-S zoned property: property is located on the west side of Broad Street on the north and south sides of Salem Creek (Zoning Docket W-2958).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: JERRY CLARK, ARNOLD KING, ARTHUR KING, CLARENCE LAMBE, LYNNE MITCHELL, BRENDA SMITH
AGAINST: WESLEY CURTIS, CAROL EICKMEYER
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO
BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by granting a Site Plan Amendment for property zoned MU-S [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Urban; Combined Use; Fraternity or Sorority; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; 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; Library, Public; Museum or Art Gallery; Nursing Care Institution; School, Private; School, Public; Stadium, Coliseum or Exhibition Building] - Site Plan Amendment] and described as follows:

Tax Block 6501, Tax Lot 103C and 103D
Section 2. This Ordinance is adopted after approval of the site plan entitled Place Acquisitions, LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20___ to Place Acquisitions, LLC for property owned by Southeast Gateway Ventures, LLC.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Place Acquisitions, LLC. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.
The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Place Acquisitions, LLC for property owned by Southeast Gateway Ventures, LLC, (Zoning Docket W-2958). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription:
"Attachment A, Special Use District Permit for [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Urban; Combined Use; Fraternity or Sorority; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; 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; Library, Public; Museum or Art Gallery; Nursing Care Institution; School, Private; School, Public; Stadium, Coliseum or Exhibition Building], approved by the Winston-Salem City Council the ______ day of _____________________, 20____" and signed, provided the property is developed in accordance with requirements of the MU-S zoning district of the Zoning Ordinance of the Unified
Development Ordinances, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  a. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department.
  b. Developer shall obtain a driveway permit from the Public Works Department of the City of Winston-Salem.
  c. The limits of clearing on the site shall be flagged in the field.
  d. Provide floodplain encroachment calculations and flood study. Additional cross sections may be required to include areas of the subject property which are a concern.
  e. Submit sealed plans for the retaining walls.

- **PRIOR TO THE SIGNING OF PLATS**
  a. All documents including covenants, restrictions, and homeowner’s association agreements shall be recorded in the office of the Register of Deeds.
  b. All required fire hydrants shall be installed or bonded in accordance with the Winston-Salem Fire Department.
  c. Developer shall install or financially guarantee large variety street trees as defined in UDO Section 3-4.10, within street yards, bufferyards and motor vehicle parking areas where no conflict occurs with overhead utility lines.
  d. Easements for the greenway and property on the south side of Salem Creek to be preserved as open space shall be recorded on a final plat. An easement allowing the City of Winston-Salem to access Washington Park from a new entrance on Broad Street, with approval from the Recreation and Parks Department shall also be provided.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  a. Developer shall record a plat showing utility, access and greenway easements in the office of the Register of Deeds.
  b. The final building elevations for the multifamily residential buildings shall be in substantial conformity with the elevations and narrative as provided in Exhibit A.
  c. All site lighting shall have a maximum height of 20 feet. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights shall not produce more than ½ foot candle of light at the property line.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  a. All road improvements shall be completed before the issuance of occupancy permits.
  b. All Fire Hydrants shall be installed in accordance with the City of Winston-Salem Fire Department in logical phasing of the development.
c. Certification from a qualified professional must be submitted certifying that the lighting was installed in accordance with the approved plan and the above noted condition.

d. Developer shall install picnic area with table as shown on site plan with approval from the Recreation and Parks Department.

• OTHER REQUIREMENTS
  a. All uses and square footages shall match those indicated in the associated Traffic Impact Study. A Site Plan Amendment will be required for any changes not in keeping with those calculations and a new TIS may need to be submitted as part of the Site Plan Amendment process.
  b. Phase II development may be approved after a site plan review by appropriate city and state officials (interdepartmental review), upon finding that the Phase II site plan meets all conditions of the Phase I approval, meets all requirements of the UDO, and is consistent with the intent of the attached illustrative master plan for Phase II development.
  c. Freestanding signage shall be limited to one sign along Broad Street. Such sign shall be of a monument type with a six (6) foot maximum height and a 36 square foot maximum area with no internal illumination.
### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2958</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>David Reed, AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Place Acquisitions, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Southeast Gateway Ventures, LLC</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lots 103C and 103D / Tax Block 6501</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Site Plan Amendment for property zoned MU-S</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting a Site Plan Amendment to the existing MU-S Special Use Permit for the property. The list of permitted uses established for this MU-S in 2004 included:</td>
</tr>
</tbody>
</table>

- [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Urban; Combined Use; Fraternity or Sorority; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; 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; Library, Public; Museum or Art Gallery; Nursing Care Institution; School, Private; School, Public; Stadium, Coliseum or Exhibition Building] |

<p>| Zoning District Purpose Statement | The MU-S District is intended to accommodate and positively integrate a balanced mixture of residential, commercial, and in some cases light industrial uses within the district and the surrounded area. Depending upon the existing land use context in which the MU-S district is proposed, at least three distinctly different use component areas are expected for any MU-S zoning proposal. Building mass, rhythm, scale, and transition, as well as a cohesive and connected pedestrian and vehicular network are intended to be key elements of the overall design concept. This district encourages innovation by offering flexibility in design and layout requirements to achieve a greater choice of living and working environments. The development design should also be compatible with the natural terrain and surrounding uses, protect natural and/or historic resources, and provide useful open space. This district is only permitted through the special use district zoning process. This district is suitable in |</p>
<table>
<thead>
<tr>
<th>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</th>
<th>Growth Management Areas 1,2,3,4, and activity centers.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</td>
<td>The subject property was initially approved as a portion of a larger mixed use development, W-2736. The proposed housing is similar to and designed to be comparable to the type of housing found on and near college campuses. Therefore, the proposal is consistent with the language of the purpose statement regarding “greater choice in living and working environments.” The purpose statement also states that “The development design should also be compatible with the natural terrain and surrounding uses, protect natural and/or historic resources, and provide useful open space.” The proposal would result in significant removal of mature vegetation and grading on steep slopes as well as encroachment into the floodplain of Salem Creek. The illustrative, conceptual master plan for this portion of the site included in the 2004 rezoning also showed development on this site, albeit for a school facility. Most of the proposed open space is located on the opposite side of Salem Creek in an area which is substantially constrained by utility lines.</td>
</tr>
</tbody>
</table>

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>West side of Broad Street on the north and south sides of Salem Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>South</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 17.82 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site is currently undeveloped with the exception of the Salem Creek Greenway which runs along the northern side of Salem Creek and multiple overhead utility lines located on the south side of Salem Creek.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-9</td>
<td>Undeveloped property and single family homes</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>LI, MU-S &amp; IP</td>
<td>Undeveloped property, small commercial uses and electrical utilities</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>IP &amp; RS-9</td>
<td>Single family homes and Washington Park</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>IP</td>
<td>Washington Park</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</th>
<th>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The proposed multifamily use is compatible with the adjacent existing and proposed uses to the east and south. The proposed four-story buildings would be larger structures than the single family neighborhood further to the north; however, this is offset by a lower elevation for the multifamily development.</td>
</tr>
</tbody>
</table>

| Physical Characteristics | Salem Creek and its associated floodplain impact a majority of the site. The portion of the site south of Salem Creek contains mostly grass |
vegetation. The portion of the site to the north of Salem Creek is heavily wooded and has a steep to gentle slope downward to the south along the creek.

**Proximity to Water and Sewer**

Public water and sewer are available to the site.

**Stormwater/Drainage**

A stormwater study is recommended. The NC Department of Environment and Natural Resources has designated Salem Creek as an impaired urban stream. At its meeting on April 12, 2007, the Planning Board recommended approval of another rezoning request (W-2919) which included the subject property, with an additional recommendation that the Storm Water Management Division determine what reasonable recommendations could be made concerning storm water quality measures and to make those recommendations to the Council as they consider this request.

**Watershed and Overlay Districts**

The site is not within a water supply watershed.

**Analysis of General Site Information**

The majority of the site is either within the floodplain of Salem Creek or on steep slopes. Significant amounts of cut and fill grading will be needed to accommodate the proposed improvements. In addition, the petitioner will submit floodplain encroachment calculations and a flood study prior to grading permits being issued.

**Generalized Recommended Conditions**

**BRIEF DESCRIPTION OF CONDITION(S):**

- See previously adopted conditions below

**SITE ACCESS AND TRANSPORTATION INFORMATION**

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broad Street</td>
<td>Minor Thoroughfare</td>
<td>225’</td>
<td>7,900</td>
<td>16,100</td>
</tr>
<tr>
<td>Proposed Access Point(s)</td>
<td>Broad Street via a private driveway that will also provide access to the Family Services building which is now under construction.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planned Road Improvements</td>
<td>A traffic signal is planned at the intersection of Broad Street and Salem Avenue.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trip Generation - Existing/Proposed</td>
<td>Approved MU-S Site Plan (per TIS) Multifamily, school, retail (included Family Services portion of site) = 1,963 Trips per Day Proposed MU-S Site Plan (per TIS) Multifamily and Family Services = 1,524 Trips per Day</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalks</td>
<td>Sidewalks are existing along Broad Street and the Salem Creek Greenway traverses the central portion of the site. The proposed site plan includes some sidewalks, however, staff recommends a direct connection to serve between the Town Hall area and Building 2000. Staff also recommends that sidewalks which directly abut parking be at least 7’ in width.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transit</td>
<td>Route 29 runs along Main Street ±1,200’ to the east.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Connectivity</td>
<td>The proposed development only has one vehicular access point.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A revised TIS has been submitted.

The site has one public street access point through the Family Services site onto Broad Street at the intersection of Salem Avenue.

**Generalized Recommended Conditions**

**BRIEF DESCRIPTION OF CONDITION(S):**
- See previously adopted conditions below

### SCHOOL DISTRICT INFORMATION

<table>
<thead>
<tr>
<th>Schools Serving Zoning Site</th>
<th>Project Students From Project</th>
<th>2007-2008 Enrolled Students</th>
<th>Projected Students w/ Accumulated Totals</th>
<th>School Capacity</th>
<th>Number of Mobile Classrooms on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Latham ES</td>
<td>36</td>
<td>262</td>
<td>298</td>
<td>253</td>
<td>8</td>
</tr>
<tr>
<td>Philo MS</td>
<td>18</td>
<td>419</td>
<td>437</td>
<td>546</td>
<td>9</td>
</tr>
<tr>
<td>Parkland HS</td>
<td>24</td>
<td>1,507</td>
<td>1,531</td>
<td>1,076-1,434</td>
<td>15</td>
</tr>
</tbody>
</table>

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**
- Growth Management Area 2, Urban Neighborhoods

**Relevant Legacy Recommendations**
- In assessing development projects it is important to consider the impact of proposed developments on the environmental resources on site, as well as the cumulative impacts beyond the development sites. (p. 89)
- Integrate natural areas (streams, wetlands, natural vegetation, etc.) into the site design of development projects and ensure that these areas are protected during construction. (p.89)
- GMA 2 is an area in which to encourage quality infill development, greater residential densities where appropriate, neighborhood retail, and community services. (p.30)
- **Infill and Redevelopment:** Manage growth by making more efficient use of land that has already been developed, encouraging reuse and infill and capitalizing on other development opportunities. Older urban and suburban neighborhoods should be reinforced as good places to live and do business. (p. 25)
- Infill development, like any land use issue, must balance the concerns of surrounding residents about the preservation of the character of their neighborhood with the needs of property owners and developers and the goals of the larger community. (p.40)

**Relevant Area Plan(s)**
- *South Central Area Plan (2003)*

**Area Plan Recommendations**
- The majority of the site is recommended for open space/park. (P. 43 & P. 30)
- The mix, type, density and design of development should facilitate walking, bicycling and use of public transportation. (p.25)
- Prior to submitting a rezoning petition, petitioners are encouraged to
consult with and obtain the support of neighborhood organizations.

(p.26)

<table>
<thead>
<tr>
<th>Greenway Plan Information</th>
<th>The existing Salem Creek Greenway traverses the middle of the site along the northern side of Salem Creek. The revised site plan proposes two connections to the greenway as recommended by Planning and Recreation and Parks staff.</th>
</tr>
</thead>
</table>
| 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 Legacy?  
See comments below |
| Analysis of Conformity to Plans and Planning Issues | The subject property was originally rezoned MU-S as part of a larger mixed use development. This portion was zoned as a TWO PHASE area. An illustrative master plan was submitted with the condition that if any development request was consistent with the intent of said master plan, said development could be approved at the staff level. The plan depicted a 1 ½ story school on the northeastern side of the unopened southern extension of Shuman Street. The area south of the Shuman Street right-of-way was essentially shown as undeveloped. Concurrently, the staff report for said original rezoning stated “The developer has agreed to preserve a significant portion of the heavily wooded area located on the northwestern side of the greenway and generally south of the Shuman Street right-of-way.” The current proposal is in the form of a Site Plan Amendment because it varies from said illustrative master plan.  
The South Central Area Plan (SCAP) which was adopted in 2003 recommends the entire property remain as open space or parkland. The recommendations of Legacy are noted above. The MU-S rezoning of this site occurred in December 2004.  
The subject request is for two, four-story buildings containing 80 multifamily units comprising 320 bedrooms. The buildings are shown as being located on both the northern and southern sides of the unopened Shuman Street right-of-way. The current request differs from a recent rezoning request (W-2919), which included the subject property plus additional RS-9 zoned land and was ultimately withdrawn at the June 2007 City Council meeting. Primarily, the ±2.84 acres of RS-9 zoned property adjacent to the northern side of the site, has been removed along with a unit reduction from 88 multifamily units with 352 beds to 80 units with 320 beds. Therefore, the parking formerly shown on the north side of said buildings has been removed. Secondly, a new 78 space remote parking lot on the opposite side of Salem Creek, adjacent to Broad Street, has been added.  
By removing the RS-9 zoned property and associated parking area to the |
north of the proposed buildings, the current request more closely reflects the recommendations of Legacy and more closely reflects the original concept plan. Therefore, staff does support the request. Staff believes the proposal would be better if the remote parking lot on the south side of Salem Creek could be eliminated or reduced, in order to reduce the visual impact of the parking lot in this area. In regard to stormwater runoff, although the site plan notes that either gravel or pervious pavement will be used for the parking lot, there will be increased runoff from this portion of the site, which needs to be carefully managed. It should also be noted that while staff understands the petitioners desire to have one parking space for each proposed bed, the request includes 179 more parking spaces than required by the UDO.

<table>
<thead>
<tr>
<th>Generalized Recommended Conditions</th>
<th>BRIEF DESCRIPTION OF CONDITION(S):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• See previously adopted conditions below</td>
</tr>
</tbody>
</table>

### RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-2919</td>
<td>RS-9 and MU-S to MU-S</td>
<td>Withdrawn at 6-4-07 City Council meeting</td>
<td>Included current site</td>
<td>20.34</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2736</td>
<td>IP, HB, LI &amp; GI to MU-S TWO-PHASE</td>
<td>Approved 12-6-04</td>
<td>Included current site</td>
<td>49.04</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4,048 sf for the community building</td>
<td>Eastern portion of the site</td>
</tr>
</tbody>
</table>

| Units (by type) and Density | 80 multifamily units consisting of 320 beds on 17.82 acres = 4.5 units per acre. The original TIS for the MU-S rezoning indicated as many as 229 total multifamily units for the entire MU-S site. The addition of these 80 proposed units to the 64 in the Gateway Village Center approved in a Site Plan Amendment earlier this year results in a total of 144 units, still under the 229 unit originally anticipated. |

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>141 spaces</td>
<td>320 spaces</td>
<td>In front of the buildings and in a remote lot across Salem Creek accessed from Broad Street</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>60’</td>
<td>4 stories</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NA</td>
<td>16.3%</td>
</tr>
</tbody>
</table>

| UDO Sections | Chapter B, Article II, Section 2-1.5 (C) Mixed Use – Special Use |
### Relevant to Subject Request

**District**
- Chapter B, Article II, Section 2-5.64 Residential Building, Multifamily Use Conditions

### Complies with Chapter B, Article VII, Section 7-5.3

<table>
<thead>
<tr>
<th>(A) Legacy policies:</th>
<th>See comments above</th>
</tr>
</thead>
<tbody>
<tr>
<td>(B) Environmental Ord.</td>
<td>Flood study is required due to encroachment</td>
</tr>
<tr>
<td>(C) Subdivision Regulations</td>
<td>NA</td>
</tr>
</tbody>
</table>

### Analysis of Site Plan Compliance with UDO Requirements

- The revised site plan meets the requirements of the UDO.

### Generalized Recommended Conditions

**BRIEF DESCRIPTION OF CONDITION(S):**
- See previously adopted conditions below

### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request will provide a unique type of housing within the Urban Neighborhoods Growth Management Area.</td>
<td>Request is located on a site which contains some steep slopes and floodplains.</td>
</tr>
</tbody>
</table>

### 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. The following conditions are from the original W-2736 petition. New conditions are shown in **bold italics.**

### PRIOR TO THE ISSUANCE OF GRADING PERMITS

- **a.** A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department.
- **b.** Developer shall obtain a driveway permit from the Public Works Department of the City of Winston-Salem.
- **c.** The limits of clearing on the site shall be flagged in the field.
- **d.** Provide floodplain encroachment calculations and flood study. Additional cross sections may be required to include areas of the subject property which are a concern.
- **e.** Submit sealed plans for the retaining walls.

### PRIOR TO THE SIGNING OF PLATS

- **a.** All documents including covenants, restrictions, and homeowner’s association agreements shall be recorded in the office of the Register of Deeds.
- **b.** All required fire hydrants shall be installed or bonded in accordance with the Winston-Salem Fire Department.
- **c.** Developer shall install or financially guarantee large variety street trees as defined in UDO Section 3-4.10, within street yards, bufferyards and motor
d. Easements for the greenway and property on the south side of Salem Creek to be preserved as open space shall be recorded on a final plat. An easement allowing the City of Winston-Salem to access Washington Park from a new entrance on Broad Street, with approval from the Recreation and Parks Department shall also be provided.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. Developer shall record a plat showing utility, access and greenway easements in the office of the Register of Deeds.
  b. The final building elevations for the multifamily residential buildings shall be in substantial conformity with the elevations and narrative as provided in Exhibit A.
  c. All site lighting shall have a maximum height of 20 feet. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights shall not produce more than ½ foot candle of light at the property line.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. All road improvements shall be completed before the issuance of occupancy permits.
  b. All Fire Hydrants shall be installed in accordance with the City of Winston-Salem Fire Department in logical phasing of the development.
  c. Certification from a qualified professional must be submitted certifying that the lighting was installed in accordance with the approved plan and the above noted condition.
  d. Developer shall install picnic area with table as shown on site plan with approval from the Recreation and Parks Department.

• OTHER REQUIREMENTS
  a. All uses and square footages shall match those indicated in the associated Traffic Impact Study. A Site Plan Amendment will be required for any changes not in keeping with those calculations and a new TIS may need to be submitted as part of the Site Plan Amendment process.
  b. Phase II development may be approved after a site plan review by appropriate city and state officials (interdepartmental review), upon finding that the Phase II site plan meets all conditions of the Phase I approval, meets all requirements of the UDO, and is consistent with the intent of the attached illustrative master plan for Phase II development.
  c. Freestanding signage shall be limited to one sign along Broad Street. Such sign shall be of a monument type with a six (6) foot maximum height and a 36 square foot maximum area with no internal illumination.
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.

David Reed presented the staff report.

PUBLIC HEARING

FOR:

Jeff Githens, Place Properties, 3445 Peachtree Road, NE, Suite 1400, Atlanta, GA, 30321
- This was approved by you in May and what we've done here is downsize this proposal to try to establish some goodwill with the neighborhood and address their concerns.
- We've reduced the bed count and unit count by 10%.
- We're just asking for a site plan amendment, not a rezoning.
- Reminded the Planning Board of points in previous presentation.
- Addressed some misconceptions expressed by the opposition.
- We don't have vinyl siding even in our dictionary at Place Properties! The materials used with be Hardi Plank and brick.
- The discharge will be no different than what is coming off the site today.
- There won't be any rise to flood levels.
- We meet or exceed your ordinances.
- We benefit the entire community and your young people.
- This won't increase traffic any more than a school planned for this site would increase traffic.
- We're not impacting storm water quality or erosion.
- This land was already permitted for multifamily use.
- Submitted letters of support.

Chad Davis, 301 Brookstown Avenue, Winston-Salem, NC 27101
- We feel this is a big win for the Gateway.
- Harold Martin wrote a letter of support because he was the former head of the Gateway Council and he was very adamant that we find a multifamily housing provider which would cater to all the students to bring them together. That's what we've done.
- We feel this is a critical component to the Gateway project.

AGAINST:

Leslie Kamtman, 29 Gloria Avenue, Winston-Salem, NC 27127
- I'm the Washington Park Neighborhood Association president.
• We are strongly supportive of the development of the Southeast Gateway and all the positive influences it can have on our city.

• However, we feel the construction of two four-story dormitory style structures with 320 beds wedged between two historic neighborhoods on a very narrow four-acre strip of environmentally sensitive land along Salem Creek next to the greenway within the floodplain and adjacent to the City's oldest public park will adversely effect all surrounding neighborhoods, the greenspace of the City, and the long-term potential of the Southeast Gateway.

• Asked those present in opposition to this development to stand.

• Points of concern include the serious environmental impact of this development, the negative impact of storm water runoff on Salem Creek, the density, the parking, the traffic impact, the safety of the residents of this proposed development, the inadequate access for emergency vehicles, the potential strain on all City services, incompatibility on all surrounding historic neighborhoods, and no support or connection with any university.

• We believe that standards and guidelines contained in the UDO, Legacy, and the South Central Area Plan have been ignored or misapplied. Therefore, we have filed an appeal with the Zoning Board of Adjustment. Ms. Kamtman itemized the details of the appeal.

• We need to recognize how inadequate our storm water regulations are and should encourage our elected officials to support the post-development storm water ordinance that's now being considered.

• The South Central Area Plan recommends that this area remain as open space or parkland.

• This development would be environmentally disastrous.

• 320 parking spaces is far greater than the number required by the UDO.

• This is basically a giant rooming house.

• Requested that the chair poll the Board members to determine why they voted the way they did.

William Watkins, 111 Cascade Avenue, Winston-Salem, NC 27127
• I've been an architect for 35 years.

• I've served on several community planning and zoning committees.

• I support the gateway, but am opposed to this specific project.

• This project defies logic and the letter and spirit of the UDO.

• This is not an example of sustainable development which will lead to a higher quality of life for the people of Winston-Salem.

• This site plan is vastly different from the illustrative plan submitted for the original MU-S zoning.

• In addition, the assurances promised at that time have not been honored.

• The developer has pushed the limits of the UDO.

• This is not a multifamily residential project. It doesn't conform to the customary understanding of "Family" as outlined in the UDO.

• This project sets the wrong precedent in the wrong place.

Robert Vorsteg, 3620 Marlowe Avenue, Winston-Salem, NC 27106
• We're concerned about precedent.

• The Neighborhood Alliance supports the view you've just heard.

• The owners have blurred the definition of "family".
• A rooming house by any other name is still a rooming house.

Philip Dickinsen, 3720 Kirklees Road, Winston-Salem, NC  27104
• I'm the president of the Audubon Society of Forsyth County and we are very concerned about the downstream impacts of this development.

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. Lynne Mitchell: I like the infill development. I like the idea of using the greenway for transportation to the schools and for shopping. I like diverse neighborhoods. I like the density. I don't like the parking lot on Broad Street or the retaining walls.

MOTION: Carol Eickmeyer moved denial of the Site Plan Amendment.

The motion failed for lack of a second.

2. Carol Eickmeyer: When we approved this in 2004, we had some statements that related to building mass and scale and a transition to the neighborhoods. This four-story building is not to my way of thinking a reasonable transition. I really object to talking about 80 units when we're talking about 320 bathrooms. I'm not satisfied that the environmental concerns are appropriately addressed here. If this was really for young people, the developer could consider doing green construction and balancing out some of the environmental concerns. I am more strongly against this today than I was initially because I've thought about it a lot more. I don't believe this is the kind of unit we had in mind when we approved this in 2004.

3. Wesley Clark: I think the developer has made a good attempt here and had a good presentation. He seems to have good intent. The issue for me is what the original intent for the area was. I'm leaning toward not approving this primarily because the original intent was to have one and a half to two-story buildings.

4. Lynne Mitchell: I like this okay, but I agree with Carol that it could be better. Being a green building would be much better.

5. The impact of size and use (residential versus a school) was discussed.

6. Arthur King: The Southeast Gateway is a potentially very important project for this city. I think we ought not to go full-steam ahead without respect for neighborhoods and the people who will be impacted. On the other hand, I think that reasonable development which accommodates the need for more and better housing is a good thing. I share the concern about the transition and the height of the buildings. However, if the gateway is to be viable, there has to be some way of providing housing. Having spent 11 years at WSSU and knowing some of the ways young people make housing decisions, this seems to be a reasonable way to try to address
those needs. I wish there were some way to adjust the height of these buildings. Nevertheless, I think I will be voting for this proposal.

7. Parking was discussed. While 320 spaces seem to be a large number, if you have that many residents of driving age trying to get to and from school at all hours of day and night, those spaces are needed.

8. Brenda Smith: From a long list of choices of what could be done on this site, this seems to be a pretty good solution. We are trying to retain the young professionals in Winston-Salem and particularly downtown. This seems to be geared toward that. Do we want to go back and turn down all projects because we don't trust the storm water guidelines and requirements? I appreciate getting the diagrams of storm water. The scale is important. What makes it acceptable in this instance is the elevation difference and the distances. I can't find a technical reason to deny this.

9. Clarence Lambe: I think this is a great project for a great site. This is a very low-impact project compared to most anything else I can think of for MU-S zoning. We talk a lot about infill, but when it comes down to it, we just hesitate to do it. The lateral and vertical distances are going to ameliorate the scale problems. This type of housing does serve a vital need. It has it's own problems, but every kind of housing has it's problems. This will be more intensively managed than any other type of apartment.

10. Arnold King: I think this is an important element of the Gateway. It brings energy and vitality to the Gateway. It fills a need in the community. It brings diversity. It uses only 4 acres of the 18 acres. I agree with Ms. Smith about the runoff situation. The presentation on that was excellent and alleviated a lot of the concerns I had about that. The distance and the topo doesn't make the scale as big an issue. I would agree also that if it were right up next to single family residence on the same elevation, that would be a problem.

11. Jerry Clark: You have to have people to make a Gateway successful. I think this is the right thing to do for this property.

12. Wesley Curtis: I do think there will be concern with the scale of it. But the thing I'm most concerned about is having such a strong apprehension about it by the neighbors.

13. Lynne Mitchell: I agree that there's some reluctance here, but I'm going to vote to support it because I think the good things outweigh the negative.

14. Carol Eickmeyer: There are a lot of very good things about it. But it is still very intense, the scale is very large for this spot, and I think it makes a difference to the surrounding neighborhoods.
MOTION: Clarence Lambe moved approval of the Site Plan Amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECONDE: Brenda Smith

VOTE:
   FOR: Jerry Clark, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Brenda Smith
   AGAINST: Wesley Curtis, Carol Eickmeyer
   EXCUSED: None

Written Comments Submitted by Planning Board Members:

Carol Eickmeyer:
1) The transition between the neighborhoods is not what was originally proposed - this is 4 story - the original concept was 1.5 stories - this is a 24/7 operation vs. a work day schedule - if it were a school or not retail.
2) I think it is inappropriate to speak of 80 units when there will be 320 bathrooms. However, I am more comfortable with the environmental impact having seen the presentation - I question this location for this use - I hope we are able to have something like this in an area with other intense multifamily.

Lynne Mitchell: I support this because of infill, density, potential greenway use for transportation, diversity of neighborhood (this promotes more diversity of age, race/ethnicity, & income).

A. Paul Norby, FAICP
Director of Planning