DOCKET #: W2778
(Continued from 6/9/05 CCPB meeting)

PROPOSED ZONING:
PB-S (Multiple Residential Uses)

EXISTING ZONING:
LO

PETITIONER:
BW Homes-I, LLC, for property owned by Same

SCALE: 1" represents 200'
STAFF: King
GMA: 2
ACRE(S): 0.46
MAP(S): 630854
July 20, 2005

BW Homes-I, LLC
c/o Thomas Ramsey
3410 Kirklees Road
Winston-Salem, NC  27104

RE:  ZONING MAP AMENDMENT W-2778

Dear Mr. Ramsey:

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, AICP
Director of Planning

pc:    City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
**ACTION REQUEST FORM**

<table>
<thead>
<tr>
<th>DATE</th>
<th>July 20, 2005</th>
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</thead>
<tbody>
<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM:</td>
<td>A. Paul Norby, AICP, Director of Planning</td>
</tr>
</tbody>
</table>

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Map Amendment of BW Homes-I, LLC

**SUMMARY OF INFORMATION:**

Zoning Map Amendment of BW Homes-I, LLC from LO to PB-S (Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; and Residential Building, Duplex): property is located on the south side of Holly Avenue between Spring Street and Poplar Street (Zoning Docket W-2778).

**PLANNING BOARD ACTION:**

<table>
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<tr>
<th>MOTION ON PETITION</th>
<th>APPROVAL</th>
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<tr>
<td>FOR:</td>
<td>UNANIMOUS</td>
</tr>
<tr>
<td>AGAINST:</td>
<td>NONE</td>
</tr>
<tr>
<td>SITE PLAN ACTION:</td>
<td>CONFORMS</td>
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</tbody>
</table>
CITY ORDINANCE - SPECIAL USE

Zoning Petition of BW Homes-I, LLC,
Docket W-2778

AN ORDINANCE AMENDING THE
WINSTON-SALEM CITY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF
THE CITY OF WINSTON-SALEM, N.C.

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 changing from LO to PB-S (Residential
Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; and
Residential Building, Duplex) the zoning classification of the following described property:

Tax Block 095    Tax Lots 101 and 103

Section 2. This Ordinance is adopted after approval of the site plan entitled BW Homes-
I, LLC and identified as Attachment "A" of the Special Use District Permit issued by the City
Council the ______ day of __________________, to BW Homes-I, 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 BW Homes-I, 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.
CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council
of the City of Winston-Salem

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 BW Homes-I, LLC, (Zoning Docket W-2778). 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 PB-S (Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; and Residential Building, Duplex), approved by the Winston-Salem City Council the _____ day of _____________________, 20____" and signed, provided the property is developed in accordance with requirements of the PB-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 ANY PERMITS
  a. Developer shall obtain approval from the City of Winston-Salem Engineering/Utilities Department to relocate the 10’ sanitary sewer line.
  b. Developer shall obtain/record an encroachment agreement for offsite storm piping.

• PRIOR TO THE ISSUANCE OF GRADING PERMITS
  a. Developer shall obtain a driveway permit from WSDOT; additional improvements may be required prior to issuance of driveway permit.
  b. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department.
ZONING STAFF REPORT

DOCKET # W-2778
STAFF: Aaron King

Petitioner(s): BW Homes I, LLC
Ownership: Same

REQUEST

From: LO Limited Office
To: PB-S Pedestrian Business (Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; and Residential Building, Duplex)

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

Acreage: 0.46

LOCATION:

Street: South side of Holly Avenue between Spring Street and Poplar Street
Jurisdiction: City of Winston-Salem
Ward: Northwest

CONTINUANCE REQUEST

The petitioner has requested continuance of this request to the July 14, 2005 Planning Board meeting.

NOTE:
“Residential Building, Townhouse” uses are defined as being three (3) or more units attached. Based on conversations at both an informal meeting to discuss the aforementioned plan and at the June pre-submittal review, staff asked the petitioner to verify with the Inspections Division that “Residential Building, Townhouse” was the appropriate use for the as-designed site plan (which had 3 of the 4 buildings with only 2 units each). When the formal submittal was made for only “Residential Building, Townhouse” Planning staff added the uses “Twin Home,” “Duplex,” and “Multifamily” and contacted the applicant with the intent being to have all those possible two unit configurations of buildings covered. During the Interdepartmental review, it was discovered that “Twin Home” and “Duplex” uses are not allowed in the PB District, thus necessitating a text amendment to the PB District to allow the proposed project as designed.
SITE PLAN

Proposed Use: Residential Multifamily
Square Footage: 10,425 square feet in four buildings
Building Height: 40 feet
Density: 19.5 units per acre
Parking Required: 14 spaces; Proposed: 18 spaces
Bufferyard Requirements: None

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: None
Adjacent Uses:
   North- Parking deck and single family homes, zoned LO and CB-S
   East- Apartment building, zoned LO
   South- Undeveloped land, zoned LO and PB-S
   West- Single family homes, zoned LO

GENERAL AREA

Character/Maintenance: The subject property is located in the downtown area of Winston-Salem and is surrounded by a mixture of residential and office uses.
Development Pace: Slow to moderate

HISTORY

Relevant Zoning Cases:

1. W-2647; HB to LO; approved October 6, 2003; west side of Spring Street between Fourth Street and Holly Street; 0.16 acre; Planning Board and staff recommended approval.

2. W-2615; HB and LO to PB; approved May 5, 2003; north and south sides of Broad Street between Fifth Street on the north and Second Street on the south; 5.3 acres; Planning Board and staff recommended approval.

3. W-2146; LO to CB-S (Parking, Commercial); approved May 5, 1997; north side of Holly Avenue between Poplar Street and Spring Street; 0.45 acre; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Existing vegetation will have to be removed. Property will be graded and paved.
Topography: The subject property slopes generally from the north to the south.
Water Supply Watershed: The subject property is not located within a water supply watershed.
Vegetation/habitat: The subject property contains one large mature tree that will be preserved with this request.
TRANSPORTATION

Direct Access to Site: Holly Avenue
Street Classification: Holly Avenue = Local Road
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
   No traffic counts available.
   Trip Generation/Existing Zoning: LO
   No traffic counts available for general use zoning district.
   Trip Generation/Proposed Zoning: PB-S
   9 units x 6.59 (Multifamily Trip Rate) = 59 Trips per Day
Planned Road Improvements/Thoroughfare Plan: None.
Sight Distance: Good
Sidewalks: Sidewalks currently exist along the frontage on Holly Street.
Transit: None
Bicycle Route: None

HISTORIC RESOURCES REVIEW

Known Historic Resources: Site was part of the original “Reservation”, part of Salem’s first waterworks system.
Forsyth County Architectural Inventory Number/Name: NA
Known Forsyth County Archaeological Site/Number: NA
National Register of Historic Places: Located in the Holly Avenue National Register District
Local Historic Landmark: NA
Historic District: Holly Avenue National Register District
Comments: This site is a vacant lot in the Holly Avenue National Register District. Any new construction should attempt to respect the historic structures and the patterns of the neighborhood such as set-backs, pedestrian friendly street frontages, and size/scale of the building. Preservation staff has spoken to the developer and reviewed the elevation for the proposed project. Staff believes this project would blend well with the neighborhood and would not detract or disturb the historic make-up of the area.

CONFORMITY TO PLANS

Growth Management Plan Area (Legacy): Urban Neighborhoods (GMA2)
Relevant Comprehensive Plan Recommendation(s): Legacy recommendations related to residential development include encouraging a mixture of housing types in neighborhoods; encouraging infill development; and allow higher density infill development at appropriate locations.
Relevant Development Guide Recommendation(s): This site is designated in SCAP for office/urban residential uses. Urban residential uses include a mix of single family, duplex, triplex, quadrplex, and townhouse units at varying densities.
WINSTON-SALEM/FORSYTH COUNTY SCHOOLS

Winston-Salem/Forsyth County Schools have estimated this project, when completed, will add a total of 9 students to the system, as indicated by the following chart.

<table>
<thead>
<tr>
<th>Project</th>
<th>Number Units</th>
<th>Schools</th>
<th>Projected Students from Project</th>
<th>2005-2006 Enrolled Students</th>
<th>2004-2005 Projected Students with Accumulated Totals since 4/15/05</th>
<th>School Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holly Avenue Townhouses</td>
<td>9</td>
<td>Brunson Elementary School</td>
<td>4</td>
<td>446</td>
<td>450</td>
<td>293</td>
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<tr>
<td></td>
<td></td>
<td>Wiley Middle School</td>
<td>2</td>
<td>765</td>
<td>767</td>
<td>723</td>
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<tr>
<td></td>
<td></td>
<td>Reynolds High School</td>
<td>3</td>
<td>1672</td>
<td>1675</td>
<td>1273-1496</td>
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</table>

ANALYSIS

The subject request is to rezone 0.46 acres of property located on the south side of Holly Avenue, from LO to PB-S (Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; and Residential Building, Duplex). The subject property is located on the south side of Holly Avenue east of Spring Street. Currently, the property is undeveloped.

Accompanying this request is a Text Amendment (UDO 139) regarding the PB district. The text amendment proposes to add the uses: “Residential Building, Duplex” and “Residential Building, Twin Home” to the PB zoning district as a “Z” (Zoning Officer Review) item. Staff views the prohibition of these uses from the PB district as unnecessary. This rezoning request is contingent on the approval of UDO 139.

The site plan submitted with this request proposes four, three-story multifamily buildings containing a total of nine dwelling units. The buildings are pulled up to the property lines and are served internally by a private street with indoor and outdoor parking provided.

Staff is supportive of this request for a few reasons. This proposal is in accord with the SCAP recommendation of urban residential dwellings. Also this request provides infill development in the downtown area at a relatively high density of 19.5 du/ac. Staff also acknowledges that this site is located in an area that is in need of re-investment. This development could serve as a basis for renewed investment and redevelopment in this portion of downtown. For these reasons, staff recommends approval of this request.
FINDINGS

1. The subject request would rezone 0.46 acres from LO to PB-S.

2. This rezoning is contingent on the approval of UDO 139.

3. This request is in keeping with the SCAP recommendation.

4. The request would allow residential infill development to occur in the downtown area.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.
Site Plan: Staff certifies that the site plan meets all code requirements, and recommends the following conditions:

- **PRIOR TO THE ISSUANCE OF ANY PERMITS**
  a. Developer shall obtain approval from the City of Winston-Salem Engineering/Utilities Department to relocate the 10’ sanitary sewer line.
  b. Developer shall obtain/record an encroachment agreement for offsite storm piping.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  a. Developer shall obtain a driveway permit from WSDOT; additional improvements may be required prior to issuance of driveway permit.
  b. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  a. Any damaged sidewalk or curb to be replaced or repaired to the requirements of the Public Works Department.

PUBLIC HEARING - June 9, 2005

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved continuance of the zoning map amendment and site plan to July 14, 2005.
SECOND: Clarence Lambe
VOTE:
  FOR: Clark, Eickmeyer, King, Lambe, Mullican, Smith
  AGAINST: None
  EXCUSED: None
**PUBLIC HEARING** - July 14, 2005

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Paul Mullican moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Dara Folan

VOTE:

FOR: Clark, Curtis, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Smith

AGAINST: None

EXCUSED: None

________________________

A. Paul Norby, AICP
Director of Planning