Property included in zoning request.

500' mail notification radius. Property not in zoning request.

Map:

- **DOCKET #**: W-3519
- **PROPOSED ZONING**: GB-S
- **EXISTING ZONING**: HB-S
- **PETITIONER**: Calco, Inc. (Chipotle - Peters Creek Parkway)

**SCALE**: 1" represents 300'

**STAFF**: Rankin

**GMA**: 3

**ACRES**: 2.57

**NEAREST BLDG**: 80' east

**MAP(S)**: 6823.02
April 20, 2022

Calco, Inc.
2900 Lowery Street
Winston-Salem, NC 27101

Re: Zoning Petition W-3519

Dear Petitioner:

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 Clerk’s Office of the date on which the Council will hear this petition.

Sincerely,

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

pc: City Clerk’s Office, P.O. Box 2511, Winston-Salem, NC 27102
Daisy Balding, 2905 Meridian Pkwy, Durham, NC 27713
### ACTION REQUEST FORM

<table>
<thead>
<tr>
<th>DATE:</th>
<th>April 20, 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM:</td>
<td>Chris Murphy, AICP/CZO, Director of Planning and Development Services</td>
</tr>
</tbody>
</table>

#### COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning petition of Calco, Inc.

#### SUMMARY OF INFORMATION:

Public hearing and consideration of zoning petition of Calco, Inc. from HB-S to GB-S (Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; Offices; and Food or Drug Store): property is located on the northeast corner of Peters Creek Parkway and Southpark Boulevard (Zoning Docket W-3519)

#### PLANNING BOARD ACTION:

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

Zoning Petition of Calco, Inc., Docket W-3519

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 HB-S to GB-S (Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; Offices; and Food or Drug Store) the zoning classification of the following described property:

PIN 6823-77-9900

Section 2. This Ordinance is adopted after approval of the site plan entitled Chipotle-Peters Creek Parkway and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of ______________, 20___ to Calco, Inc.

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 Chipotle - Peters Creek Parkway. 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 Calco, Inc., (Zoning Docket W-3519). 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 GB-S (Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; Offices; and Food or Drug Store), approved by the Winston-Salem City Council the _____ day of ______________________, 20____" and signed, provided the property is developed in accordance with requirements of the GB-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 ISSUANCE OF GRADING PERMITS:**

a. Developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of the driveway permit(s). Required improvements include:

- Closing the westernmost driveway connecting to Southpark Boulevard (as shown on the proposed site plan);
- Construction of sidewalks along Southpark Boulevard and Peters Creek Parkway, including construction of a concrete pad for a future bus stop shelter along Peters Creek Parkway (as shown on the proposed site plan);
- Installation of curb and gutter improvements along Southpark Boulevard; and
- Installation of a left-turn lane on Southpark Boulevard (as shown on the proposed site plan).

b. Any retaining wall shall be earth tone in color or shall match the color of the primary building, as verified by Planning staff.

**PRIOR TO ISSUANCE OF BUILDING PERMITS:**

a. If the property is subdivided, the developer shall record a plat in the office of the Register of Deeds. The plat shall show tentative building locations, all access easements, and any necessary utility easements.

b. Any retaining wall shall be earth tone in color or shall match the color of the primary building, as verified by Planning staff.

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

a. Developer shall complete all requirements of the driveway permit.
### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket</th>
<th>W-3519</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Daniel Rankin</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>CALCO, Inc.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN 6823-77-9900</td>
</tr>
<tr>
<td>Address</td>
<td>3169 Peters Creek Parkway</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use rezoning from HB-S to GB-S</td>
</tr>
</tbody>
</table>
| Proposal     | The petitioner is requesting to amend the Official Zoning Map for the subject property from HB-S (Highway Business – Special Use) to GB-S (General Business – Special Use). The petitioner is requesting the following uses:  
• Food or Drug Store; Offices; Restaurant (with drive-through service); Restaurant (without drive-through service); and Retail Store |
| Neighborhood Contact/Meeting | A summary of the petitioner’s neighborhood outreach is attached. |
| Zoning District Purpose Statement | The GB District is primarily intended to accommodate a wide range of retail, service, office, and high-density residential uses located along thoroughfares in areas which have developed with minimal front setbacks. The district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2 and 3, and Metro Activity Centers. |
| Rezoning Consideration from Section 3.2.19 A 16 | Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)? Mostly yes. The requested uses are commercial and fall into the general categories of retail and office uses, and the proposal would add a new building to the existing site with consolidated access from Southpark Boulevard. The subject property is situated within GMA 3 (Suburban Neighborhoods) along an expressway (Peters Creek Parkway) and collector street (Southpark Boulevard).  
The area in which the subject property is situated is not typified by buildings with minimal front setbacks; however, the proposal generally fits within the context of its surroundings and would decrease the front setback from Peters Creek Parkway relative to the existing building on the property. The proposal could be seen as accommodating strip commercial development; however, the proposed site plan would add use-intensity to the existing property by developing an existing  
|
underutilized parking lot with a new building and associated improvements.

<table>
<thead>
<tr>
<th>GENERAL SITE INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Location</strong></td>
</tr>
<tr>
<td><strong>Jurisdiction</strong></td>
</tr>
<tr>
<td><strong>Ward(s)</strong></td>
</tr>
<tr>
<td><strong>Site Acreage</strong></td>
</tr>
<tr>
<td><strong>Current Land Use</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Surrounding Property Zoning and Use</strong></th>
<th><strong>Direction</strong></th>
<th><strong>Zoning District</strong></th>
<th><strong>Use</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>HB-S and RS-9</td>
<td>Banking and Financial Services; Single-family Residential</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>HB-S</td>
<td>Banking and Financial Services</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>HB-S</td>
<td>Storage Services, Retail</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>HB-S</td>
<td>Convenience Store (gas station)</td>
<td></td>
</tr>
</tbody>
</table>

**Rezoning Consideration from Section 3.2.19 A 16**

Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

The list of proposed uses is compatible with the adjacent commercial uses. Some of the proposed uses (e.g., Restaurant (with drive-through service)) are less compatible with the adjacent residential use. However, effective buffering could lessen the effects of this issue.

**Physical Characteristics**

The site was largely developed previously and consists of impervious surfaces (asphalt parking lot and existing building) with some lawn areas and landscaping. The existing, vacant building was constructed in 1992, has an almost entirely masonry finish, and includes a drive aisle canopy at the primary building entry.

The site generally slopes downward towards the west. There is a more significant upward slope just off the subject property’s west side. The subject property is also somewhat elevated relative to the adjacent northern properties, with a fair slope at the north side of the property. There is a thin strip of trees/woods between the subject property and the adjacent residential property to the north and some off-site landscaping between the subject property and the existing bank to the north. There is also some established existing landscaping along the Southpark Boulevard and Peters Creek Parkway frontages.

**Proximity to Water and Sewer**

The site has an existing connection with a public water main at Mill Drive. A public water main is also accessible from Southpark Boulevard. Public sewer is available just off of the subject property’s northern, western, and southern property lines.
Stormwater/Drainage

The proposed development is exempt from the City of Winston-Salem’s Post Construction Stormwater Management Ordinance provisions as the area of impervious surfaces is not increasing relative to existing conditions. The proposed site plan states that there is a reduction in the total on-site area of impervious surfaces. The proposed stormwater management systems/devices (e.g., new catch basins at curbs and associated storm drainage piping) will be reviewed as part of the regular building permit application review process.

Watershed and Overlay Districts

The subject property is not located within a regulated watershed or overlay district.

Analysis of General Site Information

The proposed uses are generally compatible with other properties in the vicinity and effective buffering could lessen negative impacts to the adjacent residential property.

Because the site has been previously developed as a restaurant with a parking lot, the topographic constraints of the site are not substantial. The proposed site plan states that there is a reduction of the percentage of on-site impervious surface coverage relative to the existing site conditions. The site is also near public water and sewer services.

**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-1096</td>
<td>R-5 to B-3-S (Two Phase)</td>
<td>Approved 3/19/1984</td>
<td>Included subject property</td>
<td>21.6</td>
<td>Approval Approval</td>
</tr>
<tr>
<td>W-1204</td>
<td>Site Plan Amendment</td>
<td>Approved 11/5/1984</td>
<td>Included subject property</td>
<td>21.64</td>
<td>Approval Approval</td>
</tr>
<tr>
<td>W-1204</td>
<td>Final Development Plan</td>
<td>Approved 2/11/1988</td>
<td>Subject property</td>
<td>2.2</td>
<td>Approval Approved</td>
</tr>
</tbody>
</table>

**SITE ACCESS AND TRANSPORTATION INFORMATION**

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southpark Boulevard</td>
<td>Collector Street</td>
<td>± 508 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>NC 150 (Peters Creek Parkway)</td>
<td>Expressway</td>
<td>± 190 feet</td>
<td>24,000 (2013)</td>
<td>73,400</td>
</tr>
</tbody>
</table>

Proposed Access Point(s)
The proposed site plan shows one consolidated access point from Southpark Boulevard. The westernmost existing driveway is proposed to be closed.

Planned Road Improvements
The proposed site plan shows a new proposed left turn lane on Southpark Boulevard, allowing for left turns onto the site from
Southpark Boulevard. Curb and gutter improvements along part of the property boundary with Southpark Boulevard are also shown.

The 2012 Comprehensive Transportation Plan shows this portion of NC 150 (Peters Creek Parkway) as a six-lane road with a raised median, curb, and gutter with wide outside lanes (to accommodate bicycle traffic) and sidewalks on each side. The plan does not show a proposed cross-section for Southpark Boulevard.

<table>
<thead>
<tr>
<th>Trip Generation - Existing/Proposed</th>
<th>Existing Zoning – HB-S:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Existing building is 11,700 square feet.</td>
</tr>
<tr>
<td></td>
<td>$\frac{11,700}{1,000} = 11.7 \times 127.15$ (high-turnover restaurant trip rate)</td>
</tr>
<tr>
<td></td>
<td>$= 1,488$ trips per day</td>
</tr>
<tr>
<td>Proposed Zoning – GB-S:</td>
<td>Proposed building is 2,363 square feet.</td>
</tr>
<tr>
<td></td>
<td>$\frac{2,363}{1,000} = 2.363 \times 496.12$ (drive-through restaurant trip rate)</td>
</tr>
<tr>
<td></td>
<td>$= 1,172$ trips per day</td>
</tr>
</tbody>
</table>

The proposed site plan does not identify a definitive use for the existing, vacant building; therefore, several scenarios are possible for this building. Assuming that the previous use of the existing building is utilized, overall site trip generation would be calculated by adding the previous total to the additional proposed trips generated by the new drive-through restaurant:

$1,488 + 1,172 = \textbf{2,660 trips per day}$

| Sidewalks | Five-foot wide sidewalks are proposed along Peters Creek Parkway and part of the site’s frontage along Southpark Boulevard. The remaining portion of the site’s frontage along Southpark Boulevard (east of the remaining driveway) has an existing sidewalk which will remain. The proposed site plan shows these sidewalks connecting with an on-site pedestrian network leading to the proposed building. |

| Transit | WSTA Route 83 stops north of the intersection of Peters Creek Parkway and Southpark Boulevard. The north-bound stop is just off the northwest corner of the subject property and the proposed site plan shows a concrete pad for a future bus shelter. |

| Connectivity | The proposed site plan states that the subject property is to be subdivided after rezoning, which would create a 32,666 square foot parcel on the west side of the subject property. A cross-access easement will be required along with any required easements for utilities. |
### Transportation Impact Analysis (TIA)

A TIA is not required.

### Analysis of Site Access and Transportation Information

The subject property has frontage along Peters Creek Parkway and Southpark Boulevard, with vehicular access from Southpark Boulevard (allowing for left and right turns onto the site). Proposed and existing sidewalks are also shown on the proposed site plan along these two roads, which provide a pedestrian connection to the site and the proposed building.

Based on existing/proposed conditions, the proposal will not generate more trips per day relative to the former K&W Cafeteria; however, the subject property could ultimately generate more trips per day (relative to the former K&W Cafeteria) depending on the use(s) which could occupy the site’s existing vacant building.

### 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>2,363 (proposed building); 11,700 (existing building)</td>
<td>Northwestern portion (proposed building); eastern portion (existing building)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>99 spaces for the entire site (assumes existing, vacant restaurant remains a restaurant)</td>
<td>115 spaces for the entire site (includes stacking spaces at proposed drive-through)</td>
<td>90-degree stalls and approximately 60-degree stalls</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 feet</td>
<td>One story</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No limit</td>
<td>± 75.5 percent</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Section 4.6.10: General Business District</td>
</tr>
<tr>
<td></td>
<td>• Section 5.2.73: Retail Store (potential future application)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with Section 3.2.11</th>
<th>(A) Legacy 2030 policies: Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>(B) Environmental Ord.</td>
<td>N/A</td>
</tr>
<tr>
<td>(C) Subdivision Regulations</td>
<td>Existing parcel is proposed to be divided into two parcels following proposed rezoning. This would be a minor subdivision per UDO Section 7.3.3. A subdivision would require a cross-access easement and any necessary utility easements.</td>
</tr>
</tbody>
</table>
The request would allow for an optional reduction in the required number of parking stalls and the proposed site plan shows a reduction in impervious surface coverage. Requiring sufficient, but not excessive, parking is also supported by Legacy 2030.

Because the subject property abuts a single-family residential property, a Type III buffer yard is required. The proposed site plan shows a 20-foot bufferyard meeting this requirement. The proposed site plan also states that replanting with new vegetation is to occur to the east of the required bufferyard area following the installation of the proposed utility connections in this area and that some of the existing wooded area in this part of the property (towards the north-east corner of the property) is to remain.

<table>
<thead>
<tr>
<th>LEGACY 2030 GROWTH MANAGEMENT AREA</th>
<th>GMA 3 (SUBURBAN NEIGHBORHOODS)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RELEVANT LEGACY 2030 RECOMMENDATIONS</strong></td>
<td></td>
</tr>
<tr>
<td>• Concentrate development within the serviceable land area of Forsyth County with the highest intensities at city/town center, activity centers and along growth corridors.</td>
<td></td>
</tr>
<tr>
<td>• Promote a mixture of office, retail, and housing along growth corridors that do not contribute to strip development.</td>
<td></td>
</tr>
<tr>
<td>• Require sufficient, but not excessive parking, while protecting adjacent land uses, surrounding neighborhoods, and the environment.</td>
<td></td>
</tr>
<tr>
<td>• Encourage both residential and nonresidential infill development/redevelopment versus greenfield development.</td>
<td></td>
</tr>
<tr>
<td>• Promote compatible infill development that fits with the context of its surroundings.</td>
<td></td>
</tr>
<tr>
<td><strong>RELEVANT AREA PLAN(S)</strong></td>
<td><strong>SOUTH SUBURBAN AREA PLAN UPDATE (2017)</strong></td>
</tr>
<tr>
<td>• The revitalization of older / underutilized commercial and industrial sites and buildings is to be encouraged.</td>
<td></td>
</tr>
<tr>
<td>• Commercial development should be concentrated in designated areas and not allowed to take the form of strip development along the major roads in the planning area.</td>
<td></td>
</tr>
<tr>
<td>• The Proposed Land Use Map recommends the subject property for commercial use.</td>
<td></td>
</tr>
<tr>
<td>• Along the Peters Creek Parkway (NC 150) Growth Corridor: Develop new commercial, office, and multifamily uses with a suburban form… between I-40 and Sides Road….</td>
<td></td>
</tr>
<tr>
<td>• Rezone land for business/industrial development in a manner consistent with the Proposed Land Use Plan.</td>
<td></td>
</tr>
<tr>
<td>Site Located Along Growth Corridor?</td>
<td>The subject property is situated along the Peters Creek Parkway (NC 150) Growth Corridor.</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Site Located within Activity Center?</td>
<td>The subject property is not located within an activity center.</td>
</tr>
<tr>
<td><strong>Comprehensive Transportation Plan Information</strong></td>
<td>The <em>2012 Comprehensive Transportation Plan</em> shows this portion of NC 150 (Peters Creek Parkway) as being a six-lane road within a 150-foot right-of-way with a raised median, curb, and gutter with wide outside lanes (to accommodate bicycle traffic) and sidewalks on each side. The plan does not show a proposed cross-section for Southpark Boulevard.</td>
</tr>
<tr>
<td>Other Applicable Plans and Planning Issues</td>
<td>The <em>Peters Creek Parkway Growth Corridor Plan</em> (2019) includes the subject property within its study area, in the Central Section. This plan recommends adding missing sidewalk sections along the corridor; locating buildings away from the street edge; locating parking to the front or sides of the building; providing pedestrian connections between sidewalks and front building entrances; and installing crosswalks between parking areas and front building entrances. The plan also recommends recessing building entrances to create demarcated front door spaces, designing parking to occupy no more than 50 percent of the street frontage, and providing cross-access easements with adjacent parcels.</td>
</tr>
<tr>
<td>Addressing</td>
<td>Addresses will be assigned prior to the issuance of building permit(s).</td>
</tr>
<tr>
<td>Rezoning Consideration from Section 3.2.19 A 16</td>
<td><strong>Have changing conditions substantially affected the area in the petition?</strong> No. <strong>Is the requested action in conformance with Legacy 2030?</strong> Yes.</td>
</tr>
<tr>
<td>Analysis of Conformity to Plans and Planning Issues</td>
<td>The request is to rezone the ± 2.57-acre property from HB-S to GB-S in GMA 3. The proposed site plan shows a new 2,363-square foot restaurant with a drive-through and an existing, vacant building (previously a sit-down restaurant) to remain. The subject property is largely adjacent to other HB-S districts and commercial uses but borders a RS9 district for a short distance along its northern boundary. The <em>South Suburban Area Plan Update</em> recommends a commercial use for the subject property and the proposed uses conform with this. The general purpose of the rezoning request is to accommodate a reduction in the amount of required parking; providing sufficient (but not excessive) parking is a <em>Legacy</em> recommendation. The scale and intensity of the proposed use also fits within the context of other nearby development on the Peters Creek Parkway Growth Corridor.</td>
</tr>
</tbody>
</table>
The proposed site plan situates the proposed infill building within an existing underutilized parking lot, thereby intensifying the use of the site while also decreasing the amount of on-site impervious surfaces. The proposal can be seen as adding strip commercial development to Peters Creek Parkway; however, the proposal would also redevelop an existing underutilized site that is currently vacant.

### 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>The proposal fits within the context of the Peters Creek Parkway Growth Corridor along which it is situated.</td>
<td>The proposal can be seen as adding commercial strip development along Peters Creek Parkway.</td>
</tr>
<tr>
<td>The South Suburban Area Plan Update recommends the site for commercial use.</td>
<td>The general purpose of the proposal is to reduce the amount of required parking, which is generally in keeping with a stated Legacy objective.</td>
</tr>
<tr>
<td>The proposal repurposes an underutilized parking lot and adds use intensity to an existing site while also decreasing the overall area of impervious surfaces on the site.</td>
<td>The proposal will increase traffic along Peters Creek Parkway and Southpark Boulevard.</td>
</tr>
</tbody>
</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
  a. Developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of the driveway permit(s). Required improvements include:
     - Closing the westernmost driveway connecting to Southpark Boulevard (as shown on the proposed site plan);
     - Construction of sidewalks along Southpark Boulevard and Peters Creek Parkway, including construction of a concrete pad for a future bus stop shelter along Peters Creek Parkway (as shown on the proposed site plan);
     - Installation of curb and gutter improvements along Southpark Boulevard; and
     - Installation of a left-turn lane on Southpark Boulevard (as shown on the proposed site plan).

- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
  a. If the property is subdivided, the developer shall record a plat in the office of the Register of Deeds. The plat shall show tentative building locations, all access easements, and any necessary utility easements.
b. Any retaining wall shall be earth tone in color or shall match the color of the primary building, as verified by Planning staff.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
  a. Developer shall complete all requirements of the driveway permit.

**STAFF RECOMMENDATION:** Approval

**NOTE:** These are staff comments only; the City-County Planning Board makes final recommendations, and final action is taken by the appropriate Elected Body, which may approve, deny, continue, or request modification to any request. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**
Desmond Corley presented the staff report.

PUBLIC HEARING

FOR:  None

AGAINST:  None

WORK SESSION

MOTION:  Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.
SECOND:  Walter Farabee
VOTE:
   FOR:  George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Brenda Smith
   AGAINST:  None
   EXCUSED:  None

MOTION:  Clarence Lambe recommended approval of the ordinance amendment.
SECOND:  Walter Farabee
VOTE:
   FOR:  George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Brenda Smith
   AGAINST:  None
   EXCUSED:  None

____________________________
Chris Murphy, AICP/CZO
Director of Planning and Development Services
Property included in zoning request.

500' mail notification radius. Property not in zoning request.

MAP(S):

DOCKET #: W-3519

PROPOSED ZONING: GB-S

EXISTING ZONING: HB-S

PETITIONER: Calco, Inc. (Chipotle - Peters Creek Parkway)

SCALE: 1" represents 300'

STAFF: Rankin

GMA: 3

ACRES: 2.57

NEAREST BLDG: 80' east

MAP(S): 6823.02
W-3519
Area Plan Recommendations

South Suburban Area Plan Update, 2017
(Proposed land uses shown are generalized. See area plan for specific recommendations.)

Proposed Land Use
- Single-Family Residential (0-8 DU/AC)
- Low-Density Attached Residential (0-8 DU/AC)
- Intermediate-Density Residential (8.1-18 DU/AC)
- High-Density Residential (over 18 DU/AC)
- Office
- Office/Low-Intensity Commercial
- Commercial
- Institutional
- Park
- Commercial Recreation
- Utilities

Proposed Growth Corridor
- Suburban Form - Commercial/Office/Multifamily

[Map of Proposed Land Use and Growth Corridor]

Case W-3519

West Clemmonsville Road/Old Salisbury Road
CHIPOTLE - PETERS CREEK PARKWAY
FORM 1 SITE PLAN
1051 SOUTHPARK BLVD.
WINSTON SALEM, NC 27127

This plan is for rezoning; not for construction.

The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713
phone 919.361.5000
fax 919.361.2269
license number: C-0293, C-187
www.mcadamsco.com

EXISTING
PETERS CREEK PARKWAY
(200' PUBLIC R/W)

EXISTING
SOUTHPARK BLVD
(60' PUBLIC R/W)

EXISTING
MILL DR
(50' PUBLIC R/W)

BUILDING (EXISTING)
11,700 SF
RESTAURANT W/DRIVE-THROUGH
2,363 SF
PATIO

PROPOSED USES
RESTAURANT WITH DRIVE-THRU, RESTAURANT WITHOUT DRIVE-THRU, RETAIL, OFFICE, FOOD/DRUG STORE

SITE DATA

SITE PLAN LEGEND

RIVER BASIN
YADKIN - PEE DEE

DISTURBED AREA
1.30 AC (56,698 SF)

BUILDING
PROPOSED
2,363 SF (RESTAURANT WITH DRIVE-THRU)

BUILDING 1 USE: RESTAURANT W/OUT DRIVE THRU
1 PER 100 SF = 117 (82 WITH REDUCTION) SPACES

BUILDING 2 USE: RESTAURANT WITH DRIVE THRU
1 PER 100 SF = 24 SPACES

BIKE PARKING
REQUIRED
2 SPACES
PROPOSED
2 SPACES

ACCESSIBLE PARKING

PROPOSED BLDG
2,363 SF (RESTAURANT WITH DRIVE-THRU)

BUILDING HEIGHT
MAXIMUM
60' (ALLOWED PER UDO SECTION 4.6.10.B)
20' 8"

BUILDING COVER
0.27 AC (11,700 SF) (10.5%)

PAVED SURFACE

MAX ALLOWED
IMPERVIOUS AREA

PROPOSED
0.32 AC (14,063 SF) (12.6%)
1.64 AC (71,465 SF) (64.0%)
1.62 AC (70,782 SF) (63.8%)

EXISTING
2.05 AC (89,242 SF) (79.9%)

NO LIMIT
1.94 AC (84,845 SF) (75.5%)

VICINITY MAP
1" = 300'
The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Thursday two weeks before (14 days prior to) the Planning Board meeting.

Open Issues: 11

<table>
<thead>
<tr>
<th>Engineering</th>
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<tbody>
<tr>
<td>General Issues</td>
</tr>
<tr>
<td>40. General comments</td>
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Wednesday, March 23, 2022
1. A City driveway permit will be required for the permanent connection to Southpark Boulevard. Please complete and sign a driveway permit application, along with a copy of the site plan, to the Engineering Division for review. Please indicate where a temporary construction entrance will be placed since the proposed driveway width is 41.3 feet. A $200 review fee is also required. All items may be submitted through IDT Plans.

2. Please include construction detail V-13 for commercial driveways on the plan. Include construction details for all proposed driveways, storm drainage systems, curb and gutter, sidewalks, wheelchair ramps, etc., within the body of the plan.

3. As part of this permit, both the proposed dumpster pad and the concrete driveway apron must be heavy duty concrete. Heavy duty concrete will consist of 8” of 4,000 psi concrete on top of 6” of compacted ABC stone.

4. Please include all proposed storm drainage systems on the plan. Also provide supporting calculations for pipe design and anticipated flow off of the parking areas. Note that any connection to existing city maintained storm drainage systems must be completed with a minimum 15” diameter Class III concrete pipe.

---

**Erosion Control**

**General Issues**

**39. Grading/Erosion Control Permit and Erosion Control Plan needed**

If the proposed project creates more than 10,000 sq. ft. of land disturbance (20,000 sq. ft. of land disturbance for Single-Family Dwelling construction), a Grading/Erosion Control Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval. Please submit the plan through the electronic plan review portal as application type **04.02 Grading/Erosion Control Permit** at the following link: [https://winston-salem.idtplans.com/secure/](https://winston-salem.idtplans.com/secure/)

---

**Fire/Life Safety**

**General Issues**

**42. Notes**
Winston-Salem Fire Department
Cory Lambert
336-747-7359
coryml@cityofwsfire.org
3/15/22 2:07 PM
01.03) Rezoning-Special Use District - 2

Indicate locations of fire hydrants (existing and proposed) to demonstrate compliance with fire code requirements and City development standards.

For those buildings on this site that are equipped with sprinkler or standpipe systems, indicate the location of each FDC, ensuring no FDC is more than 100 feet from a fire hydrant.

Ensure fire apparatus access roads are provided, designed, built and maintained in compliance with fire code requirements. These requirements include but are not limited to the following items:

- Design, construction and maintenance of fire apparatus access roads to carry an imposed load of not less than 75,000 pounds;
- Clear width requirements of not less than 20 feet for two-way traffic;
- Clear height requirements of not less than 13 feet, 6 inches;
- Design, construction and maintenance of approved turnaround designs for fire apparatus access roads when the dead-end length of the required access road is more than 150 feet.
- Gates may not obstruct fire apparatus access roads unless approved by the Winston-Salem Fire Department; approval requires compliance with all applicable fire code requirements.

As part of your construction plan submittal, include the calculations for needed fire flow for this project and indicate the approved method of calculation in use. Buildings that are equipped with sprinkler systems throughout are exempt from this requirement. Refer to Section 507 of the 2018 NC Fire Code for further information. Approved calculation methods include the following options:

- Appendix B of the 2018 NC Fire Code; or
- the ISO Fire Suppression Rating Schedule (as described in [https://www.isomitigation.com/siteassets/downloads/guide-determinerequiredfireflow.pdf](https://www.isomitigation.com/siteassets/downloads/guide-determinerequiredfireflow.pdf)).

Emergency responder radio coverage shall meet the requirements of Section 510 of the 2018 NC Fire Code for this project. Consider how these requirements, including any systems necessary to bring radio coverage into compliance with this section, may impact your plans.

NCDOT

General Issues

47. NCDOT Comments

NCDOT Division 9
Victoria Kildea
336-747-7900
vrkildea@ncdot.gov
3/21/22 1:00 PM
01.03) Rezoning-Special Use District - 2

- Encroachment agreements are required for any construction or utility ties occurring within the right of way. Thomas Scott is the contact person – ntscott@ncdot.gov

Planning

2021110633-Z1-C2.00.pdf [1 redline] (Page 1) [1] C2.00

49. Text Box B
City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
3/23/22 9:19 AM
01.03) Rezoning-
Special Use District - 2

General Issues

13. COUNCIL MEMBER CONTACT

City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
3/1/22 3:16 PM
Pre-Submittal Workflow - 1

Please ensure that you have contacted the appropriate Council Member and/or the Community Assistance Liaison for their office prior to the Planning Board Hearing. Be advised that Council Members may want to participate in any community outreach efforts. Information for each Council Member can be found on their website here:

https://www.cityofws.org/564/City-Council

McAdams
Caleb Robinson
919-361-5000
robinson@mcadamsco.com
3/4/22 9:40 AM
Pre-Submittal Workflow - 1

Noted. Thank you for the info.

41. Historic Resources

City of Winston-Salem
Heather Bratland
336-727-8000
heatherb@cityofws.org
3/14/22 9:18 AM
01.03) Rezoning-
Special Use District - 2

No comments

Stormwater

General Issues

38. Exempt from Stormwater Management

City of Winston-Salem
Joe Fogarty
336-747-6961
josephf@cityofws.org
3/10/22 2:50 PM
01.03) Rezoning-
Special Use District - 2

This development is exempt from the City of Winston-Salem’s Post Construction Stormwater Management ordinance provisions as the impervious area is not increasing from the existing condition. The plans state in fact that there will be a slight reduction in impervious area from 2.05 acres to 2.02 acres. Therefore no Stormwater management is required since this exemptions is met.

Utilities

General Issues

44. General Comments
City of Winston-Salem  
Robert Wall  
336-727-8000  
robertw@cityofws.org  
3/17/22 1:44 PM  
01.03) Rezoning- Special Use District - 2  

1,500 gallon is correct. Water connections at the end of Mill Street is correct. Remove valve on domestic service. Private utility easement will be required on adjoining property for water and sewer connections since the parcel will be subdivided. All water connections will require a RPA backflow preventer. System development fees due at the time of meter purchase for both water and waste water. Sewer could hopefully be connected on the northern property line or in the R/W of Peters Creek PW on property side of street. Must use flexible manhole connecter as shown in C-17 of W-S spec book. Public sewer CO will be at edge of sewer easement. Since this is a restaurant the sewer connections will be SDR26.

[Ver. 2] [Edited By Robert Wall]

WSDOT  

General Issues  

43. General Comments

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<td>David Avalos</td>
<td>336-727-8000</td>
<td><a href="mailto:davida@cityofws.org">davida@cityofws.org</a></td>
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- Show pavement markings for entrance. stop bars, lane markings, arrows, etc.
- 3' Concrete median is required at entrance to separate ingress an egress traffic, minimum of 20' long.
- Pedestrian connection to public sidewalk from building is required and needs to be ADA compliant.
- NE Corner of peters creek and southpark needs to be addressed. Extend curb and gutter around the radius of peters creek and southpark and install ADA ramp at corer. Also show signal pole at intersection and street light poles along peters creek.

[Ver. 5] [Edited By David Avalos]

Zoning  

General Issues  

48. Zoning

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<td>Amy McBride</td>
<td>336-727-8000</td>
<td><a href="mailto:amym@cityofws.org">amym@cityofws.org</a></td>
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Where the sidewalk is within the 10’ street yard along Southpark verify that no more than 15% of the required streetyard is covered with impervious surface.

[Ver. 6] [Edited By Amy McBride]
April 5, 2022

Dan Rankin, Project Planner  
Winston-Salem / Forsyth County Planning and Development Services  
100 East First, Suite 225  
Winston-Salem, North Carolina 27101

RE: Chipotle – Peters Creek Parkway  
Project Number: W-3519  
Project ID: 718410  
Summary of Neighborhood Outreach Efforts  
McAdams Project Number: 202110663

Mr. Rankin:

As required for our client’s rezoning, we have conducted public outreach. We mailed out a letter to all property owners within 500’ (list attached). The letter (attached) contained information about the rezoning process, a project overview and included an attached site plan for reference. The letter listed a phone number and email address for comments and questions. The letter also had a link to a zoom meeting held on Monday April 4, 2022 from 6:00-7:00 pm. There were no attendees at the zoom meeting and no phone calls were received. One resident contacted me via email to note their support of the rezoning (email attached). In addition, the local city council representative has been notified of our project and our public outreach efforts.

Please let me know if you have any questions about our public outreach for this project. We look forward to going through this process with you.

Sincerely,

MCADAMS

Caleb Robinson, RLA, GGP, LEED GA  
Project Manager, National Brands
March 24, 2022

NOTICE OF SPECIAL USE REZONING HB-S TO GB-S: CASE W-3519 (CHIPOTLE- PETER’S CREEK PARKWAY)

Dear adjacent Property Owner:

A notice of Special Use Rezoning to amend the zoning map of Winston-Salem has been filed by McAdams for property owned by Calco, Inc. to change the zoning classification of the property from HB-S (Highway Business) to the new zoning classification of GB-S (General Business). If you are receiving this letter, then records indicate that you own property within 500’ of the parcel to be rezoned.

The property is located at 1051 Southpark Blvd., Winston-Salem, NC 27127 and consists of PIN # 6823-77-9900.

The principal activity allowed in the proposed new zoning classifications is a restaurant with drive through. A new Chipotle restaurant with drive through is proposed to be built on a portion of this parcel. (See attached.)

The City-County Planning Board will hold a public hearing on this petition on April 14, 2022 at 4:30 pm at the Bryce Stuart Municipal Building, 5th Floor Public Meeting Room, 100 E First Street, Winston-Salem, NC 27101. The City Council votes on any City-County Planning Board recommendation for rezoning May 2, 2022, 7:00 pm at City Hall Council Chamber, 101 North Main Street, Room 230, Winston-Salem, NC 27101.

A public notice in the form of a rezoning sign will be posted on the site at least fifteen (15) days before the public hearing by the City-County Planning Board. A legal advertisement will appear in the Winston-Salem Journal at least ten (10) days prior to the same public hearing.

As the petitioner for the rezoning, we are hosting a virtual public meeting prior to the City-County Planning Board meeting to answer any questions or concerns about the proposed rezoning. The virtual meeting is on Monday, April 4, 2022 at 6 pm via zoom. Meeting details are on the reverse side of this notice.

You may also contact me at (919) 361-5000 or email at robinson@mcadamsco.com through April 5, 2022, to discuss any comments or concerns.

Sincerely,

MCADAMS

Caleb Robinson, RLA, GGP, LEED GA
Project Manager, National Brands
RE: Virtual Neighborhood Meeting – Zoom Instructions

Topic: NOTICE OF SPECIAL USE REZONING HB-S TO GB-S: CASE W-3519 (CHIPOTLE- PETER’S CREEK PARKWAY)

Time: Apr 4, 2022 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
https://mcadamsco.zoom.us/j/89533493206?pwd=WjJ5ZHMry2t4Z1ZCamR6bStmV2tGQT09

Meeting ID: 895 3349 3206
Passcode: 146695
One tap mobile
+16468769923,,89533493206# US (New York)
+13017158592,,89533493206# US (Washington DC)

Dial by your location
+1 646 876 9923 US (New York)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 408 638 0968 US (San Jose)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
877 853 5247 US Toll-free
888 788 0099 US Toll-free

Meeting ID: 895 3349 3206
Find your local number: https://mcadamsco.zoom.us/u/kemIomGios

Sincerely,
MCADAMS
Caleb Robinson

From: Dana and Joni Linderman <djlfam@yahoo.com>
Sent: Saturday, March 26, 2022 7:04 PM
To: Caleb Robinson
Subject: Rezoning Case W-3519 Chipotle Peters Creek

CAUTION: This email is NOT from McAdams. DO NOT click links or open attachments unless you verify the sender and content.

Caleb,

We, Dana and Joni Linderman, received your certified letter concerning the rezoning to allow a Chipotle at 1051 Southpark Blvd here in Winston-Salem. We own property within 500' of the property to be rezoned.

We are in favor of the rezoning, and putting in Chipotle with a drive through. We love Chipotle and look forward to having one close to us. If we can be of any further assistance in making this happen, please let us know.

Sincerely,

Dana and Joni Linderman
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Zoning Case No.: W-3519

Property Address: 3169 Peters Creek Parkway
Parcel Identification Number(s): 6823-77-9900

Hereinafter referred to as the “Property”

1. I hereby certify that authority has been given to me, by all owners of the Property, to consent to the conditions of the special use district approval.

2. I hereby consent to the following conditions, as required by North Carolina General Statute 160D-703:

   • PRIOR TO ISSUANCE OF GRADING PERMITS:
     a. Developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of the driveway permit(s). Required improvements include:
       • Closing the westernmost driveway connecting to Southpark Boulevard (as shown on the proposed site plan);
       • Construction of sidewalks along Southpark Boulevard and Peters Creek Parkway, including construction of a concrete pad for a future bus stop shelter along Peters Creek Parkway (as shown on the proposed site plan).
       • Installation of curb and gutter improvements along Southpark Boulevard; and
       • Installation of a left-turn lane on Southpark Boulevard (as shown on the proposed site plan).

   • PRIOR TO ISSUANCE OF BUILDING PERMITS:
     a. If the property is subdivided, the developer shall record a plat in the office of the Register of Deeds. The plat shall show tentative building locations, all access easements, and any necessary utility easements.
     b. Any retaining wall shall be earth tone in color or shall match the color of the primary building, as verified by Planning staff.

   • PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:
     a. Developer shall complete all requirements of the driveway permit.

3. I acknowledge that this written consent is a condition precedent to placement of the Property into a special use district.
This the 27th day of April, 2022.

By: 

Name: Michael S. Dobie
Title: President
Date: 4/27/22
Acknowledgment by Individual

State of NORTH CAROLINA

County of CARTERET

On this 27th day of APRIL, 2022. Before me, LANA L. WELLS, Name of Notary Public

the undersigned Notary Public, personally appeared

MICHAEL S LARUE

Name of Signer(s)

☐ Proved to me on the oath of

☐ Personally known to me

☒ Proved to me on the basis of satisfactory evidence

NORTH CAROLINA DRIVERS LICENSE

(Description of ID)

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed it.

WITNESS my hand and official seal.

LANA LATRELLE WELLS
Notary Public North Carolina
Carteret County
My Commission Expires Dec 5, 2026

(Signature of Notary Public)

My commission expires 12/5/2026

Notary Seal

Optional: A thumbprint is only needed if state statutes require a thumbprint.

Right Thumbprint of Signer

Top of thumb here

For Bank Purposes Only
Description of Attached Document

Type or Title of Document

Written Consent

Document Date

Number of Pages

Signer(s) Other Than Named Above

Account Number (if applicable)

FOO1-000000DSG5350-01

DSG5350595575 (Rev 05 - 05/21)