DOCKET #: W3166

PROPOSED ZONING:
PB-L

EXISTING ZONING:
PB-L and RS9

PETITIONER:
One At A Time Properties LLC
for property owned by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 2

ACRES: 0.76

NEAREST BLDG: 7.5’ west

MAP(S): 642846
January 23, 2013

One at a Time Properties  
c/o Jose Martinez  
1101 Don Avenue  
Winston-Salem, NC 27105

Re: Zoning Map Amendment W-3166

Dear Mr. Martinez:

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,

[Signature]

A. Paul Norby, FAICP  
Director of Planning

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102  
Charles Walk, 3760 Yarbrough Avenue, Winston-Salem, NC 27106
DATE: January 23, 2013
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of One at a Time Properties LLC

SUMMARY OF INFORMATION:

Zoning map amendment of One at a Time Properties LLC from RS9 & PB-L [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Residential Building, Townhouse; Boarding or Rooming House; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts & Crafts Studio; Food Or Drug Store; Furniture and Home Furnishings Store; Retail Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Shopping Center; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Funeral Home; Hotel or Motel; Offices; Services A; Services B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Home; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Care Institution; Child Day Care Center; Child Day Care (Small Home); Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Correctional Institution; Dirt Storage; Government Offices, Neighborhood Organization, or Post Office; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Institutional Vocational Training Facility; Landfill, LCID; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; Postal Processing Facility; School, Private; School, Public; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Borrow Site; Access Easement, Private, Off-Site; Helistop; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities] to PB-L [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Combined Use; Family Group Home B; Family Group Home C; Life Care Community; Arts & Crafts Studio; Food Or Drug Store; Furniture and Home Furnishings Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Building Contractors, General; Offices; Services A; Academic Medical Center; Adult Day Care Home; Adult Day Care Center; Child Care Institution; Child Day Care Center; Child Day Care (Small Home); Church or Religious Institution, Neighborhood; Club or Lodge; Group Care Facility A; Group Care Facility B; Habilitation
Facility C; Library, Public; Museum or Art Gallery; Nursing Care Institution; Government Offices, Neighborhood Organization, or Post Office; and Access Easement, Private, Off-Site): property is located on the south side of Waughtown Street across from Butler Street (Zoning Docket W-3166).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED
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 RS9 & PB-L Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Residential Building, Townhouse; Boarding or Rooming House; Combined Use: Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts & Crafts Studio; Food Or Drug Store; Furniture and Home Furnishings Store; Retail Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Shopping Center; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Funeral Home; Hotel or Motel; Offices; Services A; Services B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Home; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Care Institution; Child Day Care Center; Child Day Care (Small Home); Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Correctional Institution; Dirt Storage; Government Offices, Neighborhood Organization, or Post Office; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Institutional Vocational Training Facility; Landfill, LCID; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; Postal Processing Facility; School,
Private; School, Public; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Borrow Site; Access Easement, Private, Off-Site; Helistop; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities) to PB-L [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Combined Use; Family Group Home B; Family Group Home C; Life Care Community; Arts & Crafts Studio; Food Or Drug Store; Furniture and Home Furnishings Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Building Contractors, General; Offices; Services A; Academic Medical Center; Adult Day Care Home; Adult Day Care Center; Child Care Institution; Child Day Care Center; Child Day Care (Small Home); Church or Religious Institution, Neighborhood; Club or Lodge; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Library, Public; Museum or Art Gallery; Nursing Care Institution; Government Offices, Neighborhood Organization, or Post Office; and Access Easement, Private, Off-Site] the zoning classification of the following described property:

LEGAL DESCRIPTION OF PROPERTIES TO BE COMBINED. PROPERTIES ARE KNOWN AS Pin # 6844-67-9691.00 (2306 WAUTHOW STREET), PIN # 6844-67-9537.00 (2300 WAUGHTOWN STREET), AND A PORTION OF THE PROPERTY KNOWN AS PIN # 6844-67-8455.00 (PORTION OF 2218 WAUGHTOWN STREET).

Lying and being in Winston Township of Forsyth County and beginning at an existing iron pipe located at the Northwest corner of the property known as 2300 Waughtown Street (Pin # 6844-67-9537.00), being located at the Northeast corner of the property known as Pin # 6844-67-8455.00, being located S 44°06'55" E 59.59 feet from the hydrant at the Northwest corner of the intersection of Butler Street and Waughtown Street, being located S 55°45'33"W 69.86 feet from the Northwest corner of the property known as Pin # 6844-67-9691.00, and being located at the point and place of BEGINNING.

Thence with the South right of way of Waughtown Street and the North line of the herein described property N 55°45'33"E 69.86 feet to a pk nail placed at the common corner for properties known as Pin # 6844-67-9537.00 and Pin # 6844-67-9691.00;

Continuing thence with the South right of way of Waughtown Street and the North line of the herein described property N 55°45'33"E 69.98 feet to a ½" existing iron rod at the common corner for the properties known as Pin # 6844-67-9691.00 and Pin # 6844-77-0666.00;
Thence with the common line between properties known as Pin # 6844-67-9691.00 and 6844-77-0666.00 S 35°05'49"E 207.78 feet to a rebar set at the common corner for lots known as Pin # 6844-67-9691.00, Pin # 6844-77-0666.00, and Pin # 6844-77-0477.00;

Thence with the common line between properties known as Pin # 6844-67-9691.00 and Pin # 6844-77-0477.00 S 72°41'01"W 72.95 feet to an existing iron pipe located at the common corner for properties known as Pin # 6844-67-9537.00, Pin # 6844-77-0404.00, and Pin # 6844-67-9691.00;

Thence with the common line between the properties known as Pin # 6844-67-9537.00 and Pin # 6844-77-0404.00 S 72°29'32"W 58.66 feet to an existing iron pipe located at the common corner of the properties known as Pin # 6844-77-0404.00 and Pin # 6844-67-9442.00 and located in the line of Pin # 6844-67-9537.00;

Thence with the common line between the properties known as Pin # 6844-67-9537.00 and Pin # 6844-67-9442.00 S 72°55'39"W 68.39 feet to an existing 3/4 inch existing iron pipe located at the common corner for the properties known as Pin # 6844-67-9537.00 and Pin # 6844-67-9442.00 and located in the line of Pin # 6744-67-8455.00;

Thence with a new line across the property known as Pin # 6744-67-8455.00, N 28°13'50"W 149.81 feet to a rebar placed in the South right of way of Waughtown Street;

Thence with the South right of way of Waughtown Street and the North line of the herein described property N 54°57'45"E 32.68 to an existing iron pipe located at the point and place of BEGINNING.

The property described above contains 32,681 square feet (0.750 acre) and the properties are known as Pin # 6844-67-9691.00 (2306 Waughtown Street), Pin # 6844-67-9537.00 (2300 Waughtown Street), and a portion of the property known as Pin # 6844-67-8455.00 (portion of 2218 Waughtown Street). This legal description is based on a field survey prepared by kale Engineering and is shown on a map prepared by Kale Engineering titled Boundary Survey For One At A Time Properties LLC, dated 10/01/12, revised 12/04/12, revised 12/14/12, and numbered 12086.

Section 2. This Ordinance is adopted after approval of the Special Use Limited District Permit issued by the City Council the ______ day of ___________________, 20___ to One at a Time Properties LLC.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District Permit pursuant to the Zoning Ordinance of the Unified Development Ordinances for a development to be known as One at a Time Properties LLC. Said Special Use Limited District Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.
CITY - SPECIAL USE LIMITED DISTRICT PERMIT

SPECIAL USE LIMITED 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 Limited District Permit for the zoning petition of One at a Time Properties LLC, (Zoning Docket W-3166). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Combined Use; Family Group Home B; Family Group Home C; Life Care Community; Arts & Crafts Studio; Food Or Drug Store; Furniture and Home Furnishings Store; Retail Store; Nursery, Lawn and Garden Supply Store; Retail; Building Contractors, General; Offices; Services A; Academic Medical Center; Adult Day Care Home; Adult Day Care Center; Child Care Institution; Child Day Care Center; Child Day Care (Small Home); Church or Religious Institution, Neighborhood; Club or Lodge; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Library, Public; Museum or Art Gallery; Nursing Care Institution; Government Offices, Neighborhood Organization, or Post Office; and Access Easement, Private, Off-Site, 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-L 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 a driveway permit from the City of Winston-Salem Public Works Department.
  b. The existing structures shall be retained in their original, existing locations on the site. The buildings shall be maintained against decay, deterioration, defects increasing the hazards of fire and/or other accidents, and kept free from structural defects, as determined by the Historical Resources Staff of the CCPB. Any
exterior work to the buildings and/or site of Tax PIN# 6844-67-9537 & 9691 must meet the Secretary of the Interior’s Standards for Rehabilitation as determined by the Historical Resources Staff of the CCPB.

• **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All requirements of the City of Winston-Salem driveway permit shall be completed.
  b. Developer shall remove the portion of the asphalt in the front yard which is not needed for the driveway and install streetyard plantings in that area.
  c. Historic Resources staff shall inspect the property for compliance with condition b. under “Prior to Issuance of Any Permits”.
<table>
<thead>
<tr>
<th>PETITION INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Docket #</td>
</tr>
<tr>
<td>Staff</td>
</tr>
<tr>
<td>Petitioner(s)</td>
</tr>
<tr>
<td>Owner(s)</td>
</tr>
<tr>
<td>Subject Property</td>
</tr>
<tr>
<td>Address</td>
</tr>
<tr>
<td>Type of Request</td>
</tr>
<tr>
<td>Proposal</td>
</tr>
</tbody>
</table>
The petitioner is requesting the following uses:
- Residential Building, Single Family; Residential Building, Duplex;
  Residential Building, Twin Home; Residential Building, Multifamily;
  Combined Use; Family Group Home B; Family Group Home C; Life
  Care Community; Arts & Crafts Studio; Food Or Drug Store; Furniture
  and Home Furnishings Store; Retail Store; Nursery, Lawn and Garden
  Supply Store, Retail; Building Contractors, General; Offices; Services
  A; Academic Medical Center; Adult Day Care Home; Adult Day Care
  Center; Child Care Institution; Child Day Care Center; Child Day Care,
  Small Home; Church or Religious Institution, Neighborhood; Club or
  Lodge; Group Care Facility A; Group Care Facility B; Habilitation
  Facility C; Library, Public; Museum or Art Gallery; Nursing Care
  Institution; Government Offices, Neighborhood Organization, or Post
  Office; and Access Easement, Private, Off-Site.

**NOTE:** General, special use limited, and special use district zoning were
discussed with the petitioner(s) who decided to pursue the rezoning as
presented.

<table>
<thead>
<tr>
<th>Neighborhood Contact/Meeting</th>
<th>The application states that a neighborhood meeting is “pending.”</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District Purpose Statement</td>
<td>The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in GMAs (Growth Management Areas) 1 (Center Cities), 2 (Urban Neighborhoods), and 3 (Suburban Neighborhoods).</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(I) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)? Yes, the site has historically been used for commercial purposes and is located within the Urban Neighborhoods GMA along a major thoroughfare which has sidewalks.</td>
</tr>
</tbody>
</table>

**GENERAL SITE INFORMATION**

<p>| Location | South side of Waughtown Street across from Butler Street |
| Jurisdiction | City of Winston-Salem |
| Ward(s) | Southeast |
| Site Acreage | ± .76 acre |
| Current Land Use | A one-story, commercial building along with its associated parking and a two-story single family residence are currently located on the site. |</p>
<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></td>
<td>North</td>
<td>RS9</td>
<td>Single family homes</td>
</tr>
<tr>
<td></td>
<td>East</td>
<td>LB-S</td>
<td>Auto repair business</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>RS9</td>
<td>Single family homes</td>
</tr>
<tr>
<td></td>
<td>West</td>
<td>RS9</td>
<td>Single family homes</td>
</tr>
</tbody>
</table>

(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

The proposed uses are compatible with the adjacent auto repair shop and less compatible with the uses permitted on the adjacent RS9 zoned properties.

Physical Characteristics

The site is essentially flat.

Proximity to Water and Sewer

Public water and sewer are available to this site.

Stormwater/Drainage

No known issues.

Watershed and Overlay Districts

The site is not located within a water supply watershed.

Historic, Natural Heritage and/or Farmland Inventories

The subject property is located in the Waughtown/Belview National Register Historic District which was established in 2005. The site contains two contributing buildings to the District. The first building, located at 2300 Waughtown Street, is a commercial building that dates from c. 1945. It is a one-story, brick structure with a stepped parapet roof with tile coping. The 1950 City Directory lists the occupant as the Waughtown Grill, William Cumbie, proprietor. The second building, located at 2302 Waughtown Street, is a two-story I-house that dates from c. 1870. The 1950 City Directory lists the occupant as William Bolin, a grocer. While Historic Resources staff believes PB zoning is appropriate for this site (particularly given that a commercial structure is located on a portion of the property) it is extremely important that the structures remain to reflect the historic character of Waughtown Street. While a later stepped parapet roof has been added to the commercial structure, the original roof with tile coping remains. As such Historic Resources staff recommends the following conditions: 1) the contributing structures shall be retained in their original, existing locations on the site; 2) the buildings shall be maintained against decay, deterioration, defects increasing the hazards of fire and/or other accidents, and kept free from structural defects, as determined by the Historic Resources staff of the CCPB; and, 3) any exterior work to the buildings and/or site must meet the Secretary of the Interior’s Standards for Rehabilitation as determined by the Historic Resources staff of the CCPB. It should be noted that because these structures are contributing buildings to the Waughtown/Belview National Register Historic District, financial incentives in the form of federal and/or state income tax credits for the rehabilitation of the structures, are available. In order to take advantage...
of the income tax credits, the work must be coordinated through the North Carolina State Historic Preservation Office. Historic Resources staff is available to provide general information about these income tax credit programs to the petitioner.

### Analysis of General Site Information

The subject property contains two contributing structures within the Waughtown/Belview National Register Historic District. The existing PB-L portion of the site currently includes a condition that said structures will be retained on the site. Planning staff recommends an expanded condition regarding maintenance of said structures and that any exterior work shall be consistent with the Secretary of the Interior's Standards for Rehabilitation.

### 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>Waughtown Street</td>
<td>Major Thoroughfare</td>
<td>172'</td>
<td>9,500</td>
<td>15,800</td>
</tr>
</tbody>
</table>

Proposed Access Point(s)

Because this is a Special Use Limited request with no site plan or access conditions, the exact location of access points is unknown. The site is currently accessed from Waughtown Street.

Planned Road Improvements

The Comprehensive Transportation Plan recommends a three lane cross section with wide outside lanes, curb and gutter, and sidewalk for this section of Waughtown Street.

Trip Generation - Existing/Proposed

The existing and proposed trip generation would essentially be the same as the request to add 2,431 square feet of property, which is currently zoned RS9, to the adjacent PB-L zoning.

Sidewalks

Sidewalks are located along both sides of Waughtown Street.

Transit

Route 29 runs along Waughtown Street.

Analysis of Site Access and Transportation Information

The site is located on a major thoroughfare which has ample capacity and sidewalks along both sides. Transit is also available along Waughtown Street and staff does not anticipate any negative transportation impacts from this request. A driveway permit will be required.

### CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**

Growth Management Area 2 – Urban Neighborhoods

**Relevant Legacy Recommendations**

- Increase infill development in the serviceable land area.
- Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area.
- Design planting strips between sidewalks and roads that allow for large-variety trees and a more attractive streetscape.

**Relevant Area Plan(s)**

Southeast Area Plan (2002)

**Area Plan Recommendations**

- The subject property is recommended for low-intensity office/commercial use.

**Other Applicable Plans and Planning Issues**

Comments from the Inspections Division: Any commercial use will require building and zoning permits, including but not limited to, site plans, floor plans and building code summaries, prior to beginning work and/or occupying the structure under the new use.
<table>
<thead>
<tr>
<th>Addressing</th>
<th>There are no address number or street naming concerns.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(3) - Have changing conditions substantially affected the area in the petition? Yes</td>
</tr>
<tr>
<td>Analysis of Conformity to Plans and Planning Issues</td>
<td>(R)(4) - Is the requested action in conformance with Legacy? Yes</td>
</tr>
</tbody>
</table>

The proposed PB-L request would permit an existing commercial establishment to fully utilize its existing parking lot. Currently, a 2,431 square foot corner of said parking lot is zoned RS9 and is part of the single family residential lot located at 2218 Waughtown Street.

The site is located within the Southeast Winston-Salem Area Plan which recommends office/commercial use for this portion of Waughtown Street.

The approved list of uses on the PB-L portion of the subject property includes some fairly intense activities that are not compatible with the predominately single family residential character of the general area. Therefore, the petitioner has voluntarily removed several of the uses that were originally approved including: Boarding or Rooming House; Motorcycle Dealer; Warehousing; Helistop; Shopping Center; Banking and Financial Services; Services B; Postal Processing Facility; Stadium, Coliseum, or Exhibition Building; Borrow Site; and Parking, Commercial.

The site contains two contributing buildings to the Waughtown/Belview National Register Historic District and the petitioner has agreed to retain both structures, consistent with the original rezoning approval. Staff further recommends that any exterior work shall be consistent with the Secretary of the Interior's Standards for Rehabilitation. Staff also recommends that a portion of the asphalt in the front yard with the exception of where the driveway is located should be removed and planted back with street/yard plantings.

### 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-3160</td>
<td>RS9 to PB-L</td>
<td>Denied 12-3-12</td>
<td>500' southwest</td>
<td>.23</td>
<td>Approval</td>
</tr>
<tr>
<td>W-3066</td>
<td>RS9 to PB-L</td>
<td>Withdrawn 9-7-10</td>
<td>Included portion of current site</td>
<td>.33</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2912</td>
<td>RS9 to PB-L</td>
<td>Approved 6-4-07</td>
<td>Included most of current site</td>
<td>.5</td>
<td>Approval</td>
</tr>
<tr>
<td>W-475</td>
<td>R4 to B3-S (LB-S)</td>
<td>Approved 2-21-77</td>
<td>Directly east</td>
<td>.45</td>
<td>Denial</td>
</tr>
</tbody>
</table>
## 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 request is consistent with the area plan.</td>
<td>The request would expand the existing commercial zoning adjacent to existing single family homes.</td>
</tr>
<tr>
<td>The historically significant structures would be retained on the site.</td>
<td></td>
</tr>
<tr>
<td>The majority of the site is currently zoned PB-L.</td>
<td></td>
</tr>
<tr>
<td>The site has access to transit and sidewalks.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with <em>Legacy</em> because it would encourage the reuse of the existing site that is complementary with the adjacent lot.</td>
<td></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.

- **PRIOR TO THE ISSUANCE OF ANY PERMITS:**
  
  a. Developer shall obtain a driveway permit from the City of Winston-Salem Public Works Department.
  
  b. The existing structures shall be retained in their original, existing locations on the site. The buildings shall be maintained against decay, deterioration, defects increasing the hazards of fire and/or other accidents, and kept free from structural defects, as determined by the Historical Resources Staff of the CCPB. Any exterior work to the buildings and/or site of Tax PIN# 6844-67-9537 & 9691 must meet the Secretary of the Interior’s Standards for Rehabilitation as determined by the Historical Resources Staff of the CCPB.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  
  a. All requirements of the City of Winston-Salem driveway permit shall be completed.
  
  b. Developer shall remove the portion of the asphalt in the front yard which is not needed for the driveway and install streetyard plantings in that area.
  
  c. Historic Resources staff shall inspect the property for compliance with condition b. under “Prior to Issuance of Any Permits”.

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**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.**
CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3166
JANUARY 10, 2013

PUBLIC HEARING

FOR:

Charles Walk, 3760 Yarbrough Avenue, Winston-Salem, NC 27106
  • Representing the petitioner, Mr. Walk stated that the petitioner was agreeable to the staff
    recommendation that the following uses would be deleted: Shopping Center; Banking
    and Financial Services; Services B; Postal Processing Facility; Stadium, Coliseum, or
    Exhibition Building; Borrow Site; and Parking, Commercial.

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning map amendment as amended.
SECOND: Paul Mullican
VOTE:
  FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Lynne Mitchell, Paul
  Mullican, Brenda Smith, Allan Younger
  AGAINST: None
  EXCUSED: None

[Signature]
A. Paul Norby, FAICP
Director of Planning
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Adult Day Care Home
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Church or Religious Institution, Community
Golf Course
Library, Public
Limited Campus Uses
Planned Residential Development
School, Private
School, Public
Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Bed and Breakfast
Child Day Care, Large Home
Habilitation Facility A
Landfill, Land Clearing/Inert Debris
Manufactured Home, Class A
Park and Shuttle Lot

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Parking, Off-Site, for Multifamily or Institutional Uses
The proposed zoning map amendment from RS9 (Residential, Single Family District; 9000 sf minimum lot size) and PB-L (Pedestrian Business-Special Use Limited District) to PB-L (Pedestrian Business-Special Use Limited District) with its added conditions is consistent with the Legacy Comprehensive Plan, and generally consistent with the Southeast Winston-Salem Area Plan (2002) and is reasonable and in the public interest because:

1. The majority of the site is currently zoned PB-L; and

2. The historically significant structures would be retained on the site; and

3. The site has access to transit and sidewalks and no negative transportation impacts are anticipated; and

4. The request would encourage the reuse of the existing site that is complementary with the adjacent lot.
DENIAL
STATEMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
W-3166
(ONE AT A TIME PROPERTIES, LLC)

Although the proposed zoning map amendment from RS9 (Residential, Single Family District; 9000 sf minimum lot size) and PB-L (Pedestrian Business-Special Use Limited District) to PB-L (Pedestrian Business-Special Use Limited District) with its added conditions is consistent with the Legacy Comprehensive Plan, and generally consistent with the Southeast Winston-Salem Area Plan (2002), approval of the request is not reasonable and in the public interest because the request would expand the existing commercial zoning adjacent to existing single family homes.