DOCKET #: W3103

PROPOSED ZONING:
PB-S and Special Use Permit

EXISTING ZONING:
HB

PETITIONER:
Gateway Management Services Ltd.
for property owned by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 1

ACRES: 0.50

NEAREST BLDG: 1' west

MAP(S): 624854
May 25, 2011

Gateway Management Services, Ltd
C/O Lynette Murphy, President/CEO
321 N. Spring Street
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-3103

Dear Ms. Murphy:

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
Steve Causey, 4720 Kester Mill Road, Winston-Salem, NC 27103
# ACTION REQUEST FORM

**DATE:** May 25, 2011  
**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 Gateway Management Services Ltd.

## SUMMARY OF INFORMATION:

Zoning map amendment of Gateway Management Services Ltd. from HB to PB-S [Restaurant (without drive-through service); Residential Building, Single Family; Offices; Bed and Breakfast; Combined Use; and Services A] and Special Use Permit for reduction in off-street parking requirements: property is located on the west side of Spring Street between Fourth and One-Half Street and Fifth Street (Zoning Docket W-3103).

## PLANNING BOARD ACTION:

**MOTION ON PETITION:** APPROVAL OF ZONING MAP AMENDMENT AND SPECIAL USE PERMIT  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS TO THE REQUIREMENTS OF THE UDO
CITY ORDINANCE - SPECIAL USE

Zoning Petition of Gateway Management Services Ltd, Docket W-3103

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 to PB-S [Restaurant
(without drive-through service); Residential Building, Single Family; Offices; Bed and
Breakfast; Combined Use; and Services A] and Special Use Permit for reduction in off-street
parking requirements the zoning classification of the following described property:

PIN #6825-97-7151

Section 2. This Ordinance is adopted after approval of the site plan entitled Spring House
Restaurant, Kitchen & Bar and identified as Attachment "A" of the Special Use District Permit
issued by the City Council the _____ day of ________________, 20____ to Gateway
Management Services Ltd.

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 Spring House Restaurant, Kitchen & Bar. 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 Gateway Management
Services Ltd. (Zoning Docket W-3103). 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 [Restaurant (without drive-through service); Residential Building, Single Family;
Offices; Bed and Breakfast; Combined Use; and Services A] 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 GRADING PERMITS:
  a. Developer shall obtain a driveway permit from City of Winston-Salem Public
     Works Department.
  b. Developer shall flag and cordon off the drip line of existing trees on site which
     shall be saved.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
  a. Developer shall close any unused driveway cuts and repair any damage from
     construction to City streets and all required improvements of the City of Winston-
     Salem/NCDOT driveway permit shall be completed.
  b. Developer shall enter into a lease agreement for the remaining 10 parking spaces
     to the satisfaction of the Winston-Salem Department of Transportation.

• OTHER REQUIREMENTS:
  a. The existing principal building shall be retained in its original, existing location
     on the site. The building 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 Historic Resources Staff of the CCPB. Any exterior
work to the buildings or the site must meet the *Secretary of the Interior’s Standards for Rehabilitation* as determined by Historic Resources Staff of the CCPB.

b. As volunteered by the petitioner, the use of “Services A” shall be further restricted to prohibit the use of Tattoo Parlors.
CITY ORDINANCE - SPECIAL USE PERMIT

Special Use Permit of Gateway Management Services Ltd.
Docket W-3103

AN ORDINANCE ISSUING A SPECIAL USE PERMIT FOR REDUCTION IN OFF-STREET PARKING REQUIREMENTS

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The City Council hereby makes an affirmative finding as follows, based upon the material and competent evidence presented at the public hearing:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved;
2. That the use meets all required conditions and specifications;
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and,
4. That the location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with Legacy.

Section 2. The Winston-Salem City Council hereby issues a special use permit for reduction in off-street parking requirements in accordance with Section 6-1.5 of the Zoning Ordinance of the Unified Development Ordinances to Gateway Management Services Ltd. to be established on the following described property:

PIN #6825-97-7151

Section 3. This Ordinance is adopted after approval of the site plan entitled Spring House Restaurant, Kitchen & Bar and identified as Attachment "A" of the Special Use Permit issued by the City Council the ______ day of ____________, 20__, to Gateway Management Services Ltd.
Section 4. The City Council hereby directs the issuance of a Special Use Permit pursuant to Section 6-1.5 of the Zoning Ordinance of the Unified Development Ordinances for a development to be known as Spring House Restaurant, Kitchen & Bar. Said Special Use Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 5. This Ordinance shall be effective from and after its adoption.
CITY - SPECIAL USE PERMIT

SPECIAL USE 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 Permit for the site shown on the site plan map included in this zoning petition of Gateway Management Services Ltd. (Zoning Docket W-3103). The site shall be developed in accordance with the plan approved by the City Council and bearing the inscription: "Attachment A, Special Use Permit for reduction in off-street parking requirements, approved by the Winston-Salem City Council the ______ day of ____________________, 20____" and signed, provided the property is developed in accordance with requirements of Section 6-1.5 of the Zoning Ordinance of the Unified Development Ordinances, and other applicable laws, and the following additional conditions be met:

• PRIOR TO THE ISSUANCE OF GRADING PERMITS:
  a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department.
  b. Developer shall flag and cordon off the drip line of existing trees on site which shall be saved.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
  a. Developer shall close any unused driveway cuts and repair any damage from construction to City streets and all required improvements of the City of Winston-Salem/NCDOT driveway permit shall be completed.
  b. Developer shall enter into a lease agreement for the remaining 10 parking spaces to the satisfaction of the Winston-Salem Department of Transportation.

• OTHER REQUIREMENTS:
  a. The existing principal building shall be retained in its original, existing location on the site. The building 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 Historic Resources Staff of the CCPB. Any exterior work to the buildings or the site must meet the Secretary of the Interior’s Standards for Rehabilitation as determined by Historic Resources Staff of the CCPB.
  b. As volunteered by the petitioner, the use of “Services A” shall be further restricted to prohibit the use of Tattoo Parlors.
### CITY-COUNTY PLANNING BOARD
### STAFF REPORT

#### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3103</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Gateway Management Services Ltd.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN # 6825-97-7151</td>
</tr>
<tr>
<td>Address</td>
<td>450 Spring Street</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use rezoning from HB to PB-S and Special Use Permit for a reduction in off-street parking requirements</td>
</tr>
</tbody>
</table>

#### Proposal

The petitioner is requesting a Special Use Permit for a reduction in off-street parking requirements and to amend the Official Zoning Maps for the subject property from HB (Highway Business District) to PB-S (Pedestrian Business District). The petitioner is requesting the following uses:
- Restaurant (without drive-through service); Residential Building, Single Family; Offices; Bed and Breakfast; Combined Use; and Services A

#### Neighborhood Contact/Meeting

As per email received from the petitioner on May 13, 2011: “Over the past several weeks I have personally visited with our surrounding neighbors, including the Public Library Staff, Bib's BBQ (gave them a tour of the house), Northwest Child Development, Express Graphics, and Centenary Methodist Church. Our "back-door neighbors," the owners of The Russell Agency, were actually in attendance at the meeting last night. I have met with the Downtown Winston-Salem Partnership, Preserve Historic Forsyth, and have spoken with board members of the West End Association. We are gratified by the positive response and the excitement generated by our plans for this beloved historic property, and regret the assumption that we had neglected to engage the many interested shareholders in our process.”

#### Zoning District Purpose Statement

The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in GMAs (Growth Management Areas) 1 (Center Cities), 2 (Urban Neighborhoods), and 3 (Suburban Neighborhoods).
<table>
<thead>
<tr>
<th>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</th>
<th>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)? Yes, the site is located within GMA 1 and is adjacent to other PB zoning. The proposed site plan shows the retention of the existing building which is pedestrian oriented in regard to building placement and design.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>West side of Spring Street between Fourth and One-Half Street and Fifth Street</td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Northwest</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± .5 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The two-story structure on the subject property is currently unoccupied.</td>
</tr>
<tr>
<td>Surrounding Property Zoning and Use</td>
<td>Direction</td>
</tr>
<tr>
<td></td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>East</td>
</tr>
<tr>
<td></td>
<td>South</td>
</tr>
<tr>
<td></td>
<td>West</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity? Yes, the proposed residential, restaurant, and service type uses are compatible with the permitted uses in the adjacent HB, IP, and PB Districts.</td>
</tr>
<tr>
<td>Physical Characteristics</td>
<td>The developed site is essentially flat with a few mature trees. No streams or wetlands are located on the site.</td>
</tr>
<tr>
<td>Proximity to Water and Sewer</td>
<td>Public water and sewer are available to the site.</td>
</tr>
<tr>
<td>Stormwater/Drainage</td>
<td>No known issues.</td>
</tr>
<tr>
<td>Watershed and Overlay Districts</td>
<td>The site is not located within a water supply watershed.</td>
</tr>
<tr>
<td>Historic, Natural Heritage and/or Farmland Inventories</td>
<td>The Agnew Hunter Bahnson House, located on the subject property, is listed in the National Register of Historic Places. This house is locally significant for its association of nearly half a century with the life of one of Winston-Salem's most prominent industrialists. In 1919 prominent architect Willard C. Northup designed this large residence for Bahnson. When it was built in 1920, the Bahnson House joined a group of other fine dwellings along West Fifth Street – known as &quot;millionaires’ row&quot; – that were owned by some of the city's leaders of commerce and industry. Today, Bahnson's impressive two-story stuccoed home in the English Cottage style survives as the only house left along a six-block stretch of Fifth Street and is the sole reminder of the grand houses that once defined...</td>
</tr>
</tbody>
</table>
the street. In 2001, the Bahnson House was listed on the National Register of Historic Places. Historic Resources staff supports the rezoning petition as it will adaptively reuse the house in a manner that respects its outstanding architectural and historical legacy.

The Agnew Hunter Bahnson House, located on the subject property, is listed in the National Register of Historic Places. The request would retain this structure for an adaptive reuse into a restaurant. Planning staff recommends conditions to save the existing trees on the site and retain the house. The site has no apparent constraints and is suitable for development within the proposed PB District.

### 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>Spring Street</td>
<td>Local street</td>
<td>221'</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Fourth and One-Half Street</td>
<td>Local street</td>
<td>100’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Fifth Street</td>
<td>Minor Thoroughfare</td>
<td>100’</td>
<td>12,900</td>
<td>32,200</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

The site plan illustrates the continued use of the existing access points on Fourth and One-Half Street and Fifth Street.

**Trip Generation - Existing/Proposed Zoning:**

Existing Zoning: HB

No trip rate is available for the existing general use zoning which has no site plan.

Proposed Zoning: PB-S

5,950 / 1,000 x 89.95 (Quality Restaurant Trip Rate) = 535 Trips per Day

**Sidewalks**

Sidewalks are located along all three street frontages.

**Transit**

Routes 4, 16, 18 and 21 run along Fifth Street.

**Traffic Impact Study (TIS)**

A TIS is not required.

**Analysis of Site Access and Transportation Information**

The site is located within the City Center Growth Management Area in downtown Winston-Salem and has frontage along three public streets. Per recent UDO amendments, commercial buildings within GMAs 1 and 2, which were constructed prior to 1988, are exempt from providing parking spaces for changes in use to most commercial uses. One use that must provide parking or receive a Special Use Permit from City Council is restaurant. A restaurant of this size is required to provide 38 spaces (includes 30% parking reduction in PB zoning, along with other UDO allowed parking reductions). Seventeen of those spaces are proposed on-site.

In the long term, staff would expect that given the site’s location in downtown and the amount of pedestrian traffic, the additional parking needs would be lessened and absorbed in the urban fabric. More people...
will be able to walk to this site as the number of residents living in
downtown continues to increase and the surrounding public streets would
be adequate to accommodate additional traffic generated from this
request.

The site plan depicts how 17 of the required 38 spaces will be
accommodated on-site and that ten spaces for employees will be located
on a lot approximately 500’ to the south along Spring Street. This lot is
also owned by the petitioner. The remaining 11 spaces will be acquired
via a lease agreement with another property owner in the general vicinity
of the site, prior to the issuance of Occupancy Permits.

## CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>Growth Management Area 1 - City Center</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Relevant Legacy Recommendations</strong></td>
<td>• <em>Legacy</em> recommends making Downtown Winston-Salem a “vibrant downtown” by providing a safe, clean environment with high-quality public spaces, restaurants and specialty shops, and entertainment, sports and cultural events that will attract people back Downtown to work, shop and live.</td>
</tr>
<tr>
<td><strong>Relevant Area Plan(s)</strong></td>
<td><em>The Downtown Plan</em> (2007)</td>
</tr>
</tbody>
</table>
| **Area Plan Recommendations** | • *The Downtown Plan* identifies a number Mixed-Use Areas where existing buildings are being adaptively reused and developed for smaller shops, offices and residential uses. The subject property is within the boundaries of the West Side Mixed-Use Area located in the vicinity of the Forsyth County Public Library.  
  • Attract new businesses and investment through the absorption of more downtown office space, as well as the development of additional dining, entertainment and retail establishments.  
  • Make downtown a destination by creating a core area of vibrant, intense mixed uses in a very pedestrian-friendly environment. Emphasize major employment center, restaurants, supportive and festive retail, entertainment, arts and downtown residential uses. |
| **Special Use Permit Findings** | Planning Board Findings |
| | Findings of the Planning Board accompanying a favorable recommendation shall include: |
| | 1. The development is in conformity with *Legacy*;  
| | Yes  
| | 2. Water and sewer service are available in adequate capacity;  
| | Yes  
| | 3. Where buildings greater than thirty-five (35) feet in height are proposed within the City of Winston-Salem limits, there is adequate access for aerial fire-fighting equipment;  
| | Not applicable  
| | 4. Streets and highways, both within and in the vicinity of the development, are of such design and traffic-carrying capacity that the development will not create a traffic hazard;  
| | Yes |
5. General layout and design of the development meet all requirements of this Ordinance;  
Yes

6. Adequate, safe, and convenient provision is made for vehicular and pedestrian movement on the site with particular attention paid to the needs of public safety equipment and personnel (fire, police, etc.) and service vehicles and personnel (sanitation, postal delivery, etc.);  
Yes

7. The Planning Board may recommend to the Elected Body conditions as identified in Section B.6-1.3(A)(1) for the issuance of the special use permit to reduce impacts associated with the project.

**Elected Body Findings**

The Elected Body shall issue a special use permit only when the Elected Body makes an affirmative finding as follows:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved;  
Yes

2. That the use meets all required conditions and specifications;  
Yes

3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity;  
Yes; and

4. That the location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with *Legacy*.  
Yes

<table>
<thead>
<tr>
<th>Addressing</th>
<th>There are no address number or street naming concerns.</th>
</tr>
</thead>
</table>
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | (R)(3) - Have changing conditions substantially affected the area in the petition?  
No  
(R)(4) - Is the requested action in conformance with *Legacy*?  
Yes |
| Analysis of Conformity to Plans and Planning Issues | This two part request includes a special use rezoning from HB to PB-S to allow an adaptive reuse of a single family home into a restaurant and a Special Use Permit for a reduction in off-street parking requirements. |
Given the surrounding development and zoning pattern, along with the site’s location in downtown Winston-Salem, the proposed PB-S District is a more appropriate district and is more consistent with the pedestrian oriented recommendations of Legacy and the The Downtown Plan.

In regard to the requested parking reduction, staff believes the petitioner has adequately demonstrated how the required 38 spaces will be accommodated. See the Analysis of Site Access and Transportation Information section above.

### 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-2918</td>
<td>SUP for Parking</td>
<td>Approved 5-7-07</td>
<td>Directly northeast</td>
<td>.46</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5,950sf</td>
<td>Central portion</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>38 spaces</td>
<td></td>
<td>17 spaces on-site + 21 spaces off-site = 38 spaces</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Off-site and to the sides and rear</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>60’</td>
<td>2 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>NA</td>
<td>55.03%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Chapter B, Article II, Section 2-1.3 (F) Pedestrian Business District</td>
</tr>
<tr>
<td></td>
<td>Chapter B, Article II, Section B.5-4.3 (E) Special Use Permit for Parking for Nonresidential Structures built prior to March 7, 1988</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
<th>(A) Legacy policies: Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(B) Environmental Ord. NA</td>
</tr>
<tr>
<td></td>
<td>(C) Subdivision Regulations NA</td>
</tr>
</tbody>
</table>

| Analysis of Site Plan Compliance with UDO Requirements | The site plan submitted with this request generally provides an as-built layout of the site with the exception of some outdoor seating on the eastern side of the building and some minor additions and HVAC equipment to the western side of the building. The site plan meets the requirements of the UDO. |
## 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 rezoning request is consistent with the recommendations of Legacy and the Downtown Plan.</td>
<td>The request may burden other surrounding areas with potential parking issues.</td>
</tr>
<tr>
<td>The rezoning request is consistent with the surrounding development pattern and the proposed PB purpose statement.</td>
<td></td>
</tr>
<tr>
<td>The request demonstrates an adaptive reuse of an existing unoccupied building.</td>
<td></td>
</tr>
<tr>
<td>The request would allow another investment in the downtown area.</td>
<td></td>
</tr>
<tr>
<td>Request will retain a designated National Historic Register property.</td>
<td></td>
</tr>
<tr>
<td>The request meets the findings of fact required for issuance of a special use permit.</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 GRADING PERMITS:**
  - a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department.
  - b. Developer shall flag and cordon off the drip line of existing trees on site which shall be saved.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  - a. Developer shall close any unused driveway cuts and repair any damage from construction to City streets and all required improvements of the City of Winston-Salem/NCDOT driveway permit shall be completed.
  - b. Developer shall enter into a lease agreement for the remaining 10 parking spaces to the satisfaction of the Winston-Salem Department of Transportation.

- **OTHER REQUIREMENTS:**
  - a. The existing principal building shall be retained in its original, existing location on the site. The building 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 Historic Resources Staff of the CCPB. Any exterior work to the buildings or the site must meet the Secretary of the Interior’s Standards for Rehabilitation as determined by Historic Resources Staff of the CCPB.
  - b. As volunteered by the petitioner, the use of “Services A” shall be further restricted to prohibit the use of Tattoo Parlors.
STAFF RECOMMENDATION: Rezoning: Approval
Special Use Permit: 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-3103
MAY 12, 2011

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

Lynne Mitchell thanked the Historic Resources Commission for their work, particularly on this case.

Allan Younger noted that he loved this request but his one concern is the lack of contact with the neighbors. He encouraged the petitioner to meet with the neighbors prior to the City Council meeting.

(NOTE: Petitioner updated the Planning staff on May 13 with what had been done prior to the May 12 meeting to discuss the proposal with neighboring interests.)

MOTION: Wesley Curtis moved approval of the zoning map amendment and Special Use Permit, certified that the site plan meets all code requirement and recommends staff conditions.
SECOND: Clarence Lambe
VOTE:
  FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican, Allan Younger
  AGAINST: None
  EXCUSED: None

A. Paul Norby, FAICP
Director of Planning
DOCKET #: W3103

PROPOSED ZONING:
PB-S and Special Use Permit

EXISTING ZONING:
HB

PETITIONER:
Gateway Management Services Ltd.
for property owned by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 1

ACRES: 0.50

NEAREST BLDG: 1' west

MAP(S): 624854
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Academic Biomedical Research Facility
Academic Medical Center
Animal Shelter, Public
Arts and Crafts Studio
Banking and Financial Services
Bed and Breakfast
Boarding or Rooming House
Building Contractors, General
Building Materials Supply
Car Wash
Cemetery
Child Care, Drop-In
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Club or Lodge
College or University
Convenience Store
Correctional Institution
Food or Drug Store
Fuel Dealer
Funeral Home
Furniture and Home Furnishings Store
Golf Course
Government Offices, Neighborhood Organization, or Post Office
Hospital or Health Center
Hotel or Motel
Institutional Vocational Training Facility
Kennel, Indoor
Library, Public
Motor Vehicle, Body or Paint Shop
Motor Vehicle, Rental and Leasing
Motor Vehicle, Repair and Maintenance
Motor Vehicle, Storage Yard
Motorcycle Dealer
Museum or Art Gallery
Nursery, Lawn and Garden Supply Store, Retail
Offices
Outdoor Display Retail
EXISTING HB USES ALLOWED
City of Winston-Salem Jurisdiction Only

Park and Shuttle Lot
Parking, Commercial
Police or Fire Station
Recreation Facility, Public
Recreation Services, Indoor
Recreation Services, Outdoor
Recreational Vehicle Park
Restaurant (with drive-through service)
Restaurant (without drive-through service)
Retail Store
School, Vocational or Professional Services A
Services B
Shopping Center
Signs, Off-Premises
Stadium, Coliseum, or Exhibition Building
Storage and Salvage Yard
Storage Services, Retail
Terminal, Bus or Taxi
Testing and Research Lab
Theater, Drive-In
Theater, Indoor
Utilities
Veterinary Services
Warehousing

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care, Sick Children
Child Day Care Center
Habilitation Facility C
Landfill, Construction and Demolition
Landfill, Land Clearing/Inert Debris
School, Private
School, Public
Transmission Tower
USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Borrow Site
Dirt Storage
Helistop

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE
Project Case Number: W-3103

PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS
Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. Further, please note that additional information may be forthcoming from Departments that indicate "See Emailed Comments" or other similar phrase. A list of recommended conditions from this Interdepartmental Review will be sent to you via e-mail generally by the end of the business day on Friday the week prior to the Planning Board Public Hearing.

PROJECT CASE NUMBER: W-3103 PROJECT TITLE: Spring House Restaurant, Kitchen & Bar
DATE: April 27, 2011

PROJECT DESCRIPTION: West side of Spring Street between Fourth and One-Half Street and Fifth Street
NCDOT- Phone #: 336.703.6600 Email: jprhyne@ncdot.gov
"Not a state road"
(per email from John Rhyne)
Signature

WSDOT- Phone #: 336.747.6872 Email: conniec@cityofws.org
"Clarify paved or gravel parking. Parking space 14, looks like there will be difficulty backing out of the space to get out of the driveway. Parking space 2, parallel parking is tight. Is there a dumpster between parking spaces 1 & 2? Where will pedestrian access be from the parking areas to the entrance? The Center City Parking deck is not open for hourly parking, how will the 21 off site spaces be accommodated?"
(per email from Connie Curtis)
Signature

City Engineer- Phone #: 336.747.6846 Email: albertcg@cityofws.org
"Driveway permit req'd"
(per email from Al Gaskill)
Signature

City Streets Division- Phone #: 336.734.1550 Email: robbys@cityofws.org
"Repair any damages that occur to Fourth and One-half, Fifth and Spring Street (asphalt, curb and sidewalk). Install ADA mats at the intersection of Fourth & One-half and Spring and the intersection of Fifth and Spring (adjacent to property only). Remove angled section of sidewalk tying the existing sidewalk on Spring Street to the curb. Replace the curb that has been pushed up by the tree on Fifth Street near the entrance."
(per email from Robby Stone)
Signature

Inspections (Zoning)- Phone #: 336.727.2626 Email: jeffv@cityofws.org
"Show a shrub in 5' streetyard on the SW corner adjacent to 4 1/2 St. Mark space #2 "Compact". Move bike rack to front of building. Cannot access at its shown location. Dimension bike spaces."
(per email from Jeff Vaughan)
Signature

Inspections (Erosion Control)- Phone #: 336.727.2388 Email: jeffk@cityofws.org
"Land Disturbing Permit req'd if >10,000 sqft disturbed."
(per email from Jeff Kopf)
Signature
INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE
Project Case Number: W-3103

Stormwater Division- Phone # - 336.747.6961 Email: josephpf@cityofws.org
No Comment

Signature

Fire (City)- Phone # - 336.747.7359 Email: jonc@cityofwfire.org
“Sprinkler system required based on preliminary information. FDC required to be within 100 feet of public hydrant.”
(per email from Jon Canupp)

Signature

Utilities- Phone # - 336.747.7499 Email: billis@cityofws.org
“City/County Utilities does not assume responsibility for due diligence on behalf of the owner, developer, or consulting engineer. As of July 1, 2011, all three-inch and larger water meters must be purchased through the Utilities Business Office. Domestic services three-inch and larger and all fire services will be made by permit application at the time of building permit or authorization to construct (B-Permits will no longer be required). A sewer capacity analysis fee of $200 applies to all public or private sewer connections that require a DWQ FTSE form. A construction drawing plan review fee applies to all public or private water and/or sewer extensions required to be permitted through NCDENR. Water services larger than 2-inch and all fire services (except single family dwellings) are required to be permitted by NCDENR. Subject to Utilities plan review for Building Permit Application and/or Authorization to Construct Water or Sanitary Sewer Systems
Contact CityLink, 727-8000 for the following services:
- Impact fees, water/sewer rates, and record drawings (Records Center)
- Utility locates of water/sewer mains or services (Construction & Maintenance)
- Meter, backflow preventer, or grease interceptor requirements (Plan Review)

Following are specific comments that may apply to your proposed site plan: Existing water and/or sewer connections may require evaluation for compliance with backflow preventer requirements, connection serviceability, and/or termination at the main.”
(per email from Bill Shookman)

Signature

Sanitation- Phone # - 336.748.3080 Email: christc@cityofws.org

Signature

Planning- Phone # - 336.747.7043/747.7068 Email: aaronk@cityofws.org
“Staff recommends condition for retaining/maintaining the structure in accord with Secretary of the Interior Standards; Parking space #2 looks problematic; Building square footage in legend doesn’t match parking calsc; All parking surfaces in GMA 1 must be asphalt; Pedestrian connections from parking lot to main entrance? Staff recommends a condition to save existing trees on-site.”
(per email from Aaron King)

Signature

Street Names/Addresses -336.747.7048 Email: benfs@cityofws.org
“No address number or street naming concerns.”
(per email from Ben Stamey)

Signature
May 5, 2011

City-County Planning Board
P.O. Box 2511
Winston-Salem, NC 27102

RE: REZONING PETITION DOCKET #: W-3103

Dear Ladies and Gentlemen:

The Forsyth County Historic Resources Commission is charged to protect and enrich the county's cultural, historical, architectural, and archaeological heritage through the identification, designation, and preservation of historic resources. In light of this responsibility, the Commission reviewed the rezoning petition referenced above at its meeting on May 4, 2011. The Commission unanimously voted to relay its comments about this proposed rezoning and to recommend that the Planning Board carefully consider the impact of this proposal upon the historic fabric of the community.

The subject property, the Agnew Hunter Bahnson House, is listed on the National Register of Historic Places. It is significant because of its association with Bahnson, who was one of the city’s most outstanding industrialists. Designed by prominent architect Willard C. Northup, the Bahnson House was built in 1920 in the English Cottage style. It is the sole survivor of a six-block row of grand houses on West Fifth Street, which was known as “millionaires’ row.”

The Commission, after reviewing the petition and site plan, is in support of the proposed rezoning, and believes it will have a positive impact on the property and the surrounding area. Its adaptive reuse into a commercial concern will be an asset to our community. The HRC understands that the property owner will utilize the federal and State income tax credits available for rehabilitation of National Register properties. Doing so will respect the outstanding architectural integrity of the structure. The Commission also feels very strongly that parking must be minimized as much as possible to lessen its visual impact on the site, particularly for the front lawn area. Therefore, the HRC recommends that the maximum amount of available parking reductions allowed by the UDO be approved.

The Commission believes consideration of historic resource impacts is vital to the process of making wise land use decisions. We urge you to carefully consider this rezoning petition and make a recommendation that respects the unique historic heritage of our community.

Sincerely,

Mark Maxwell
Chairman