DOCKET #: W3109

PROPOSED ZONING: PB-S

EXISTING ZONING: HB and RS7

PETITIONER: Charles and Virginia Hardesty, Eddie and Miriam McCarter for property owned by Same

SCALE: 1" represents 200’
STAFF: Roberts
GMA: 2
ACRES: 0.85
NEAREST BLDG: 10’ west
MAP(S): 636854
July 27, 2011

Charlie & Virginia Hardesty
108 N. MLK Jr. Drive
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-3109

Dear Mr. & Mrs. Hardesty:

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
Eddie & Miriam McCarter, 112 N Martin Luther King Jr Dr, Winston-Salem, NC 27101
Eric Jordan, 3714 El Santos Ct., Winston-Salem, NC 27105
ACTION REQUEST FORM

DATE: July 27, 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 Charlie & Virginia Hardesty and Eddie & Miriam McCarter

SUMMARY OF INFORMATION:

Zoning map amendment of Charlie & Virginia Hardesty and Eddie & Miriam McCarter from HB and RS7 to PB-S [Restaurant (without drive-through service); and Food or Drug Store]: property is located on the northwest corner of Martin Luther King Jr Drive and East First Street (Zoning Docket W-3109).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO
CITY ORDINANCE - SPECIAL USE

Zoning Petition of Charlie & Virginia Hardesty and Eddie & Miriam McCarter, Docket W-3109

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 and RS7 to PB-S [Restaurant (without drive-through service); and Food or Drug Store] the zoning classification of the following described property:

PIN #’s 6835-66-9332, 8239, 8289, and 9407

Section 2. This Ordinance is adopted after approval of the site plan entitled Forsyth Seafood and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of ________________, 20__ to Charlie & Virginia Hardesty and Eddie & Miriam McCarter.

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 Forsyth Seafood. 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 Charlie & Virginia Hardesty and Eddie & Miriam McCarter. (Zoning Docket W-3109). 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); 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 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 NCDOT and the City of Winston-Salem Public Works Department.
  b. Developer shall petition and have closed the alley which traverses the site.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. The proposed building shall be constructed in substantial conformance with the submitted elevations labeled "Exhibit A" as verified by Planning staff.

- **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.
# CITY-COUNTY PLANNING BOARD
**STAFF REPORT**

## PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3109</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Charlie &amp; Virginia Hardesty and Eddie &amp; Miriam McCarter</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #’s 6835-66-9332, 8239, 8289, and 9407</td>
</tr>
<tr>
<td>Address</td>
<td>108 and 112 Martin Luther King, Jr. Drive and 1321 and 1323 East First Street</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use rezoning from HB and RS7 to PB-S</td>
</tr>
</tbody>
</table>

## Proposal
The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB (Highway Business District) and RS7 (Residential, Single Family District; 7,000 sf minimum lot size) to PB-S (Pedestrian Business District). The petitioner is requesting the following uses:

- Restaurant (without drive-through service) and Food or Drug Store

## Neighborhood Contact/Meeting
According to an email received from the petitioners’ site plan preparer: "Virginia (Hardesty) has met with Carol Davis of SG. Atkins CDC & their planning consultant at their last community meeting that was held in June 2011, where the Forsyth Seafood plan was presented. Charles (Hardesty) has also met with some of the surrounding neighbors on an individual basis as they stopped by (Forsyth Seafood) to inquire about the business after having received letters and observed sign postings at the site. He explained Forsyth Seafood’s intent for the site and restaurant."

## 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).

## Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)
(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes, the site is located along an Urban Boulevard in the Urban Neighborhoods GMA where there is frequent pedestrian activity.
### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Northwest corner of Martin Luther King Jr. Drive and East First Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>East</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± .85 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Forsyth Seafood is currently located on the southeastern portion of the site. A retail store is located on the northern portion.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>North</td>
<td>HB &amp; PB-S</td>
<td>Undeveloped property and business use</td>
</tr>
<tr>
<td></td>
<td>East</td>
<td>HB &amp; RS7</td>
<td>Convenience store and single family homes</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>HB &amp; RS7</td>
<td>Convenience store and single family homes</td>
</tr>
<tr>
<td></td>
<td>West</td>
<td>RS7</td>
<td>Single family homes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</th>
<th>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes, the one story restaurant without drive-through use is compatible with the adjacent commercial uses. The 15’ Type II buffer yard with 6’ fence option will help to minimize any negative impacts to the adjacent single family homes to the west.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Physical Characteristics</th>
<th>The developed site has a gentle slope downward to the southeast. No streams or wetlands are located on the site.</th>
</tr>
</thead>
<tbody>
<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 stormwater study is required due to the amount of existing impervious coverage.</td>
</tr>
<tr>
<td>Watershed and Overlay Districts</td>
<td>The site is not located within a water supply watershed.</td>
</tr>
</tbody>
</table>

### 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>Martin Luther King, Jr. Drive</td>
<td>Boulevard</td>
<td>232’</td>
<td>19,000</td>
<td>26,900</td>
</tr>
<tr>
<td>East First Street</td>
<td>Local Street</td>
<td>155’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Lawrence Street</td>
<td>Local Street</td>
<td>110’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Unnamed</td>
<td>Platted, unopened alley</td>
<td>140’</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**: The site will have access onto all three above mentioned streets. The access to Martin Luther King, Jr. Drive will be converted to a right-in/right-out once a center median is installed in the future (see below).
<table>
<thead>
<tr>
<th>Planned Road Improvements</th>
<th>A center median within Martin Luther King, Jr. Drive is planned for installation in 2011 as per WSDOT.</th>
</tr>
</thead>
</table>
| Trip Generation - Existing/Proposed | **Existing Zoning: HB & RS7**  
No trip generation is available for the existing general use zoning which has no site plan.  
**Proposed Zoning: PB-S**  
4,950sf / 1,000 x 130.34 (High-Turnover (Sit Down) Restaurant Trip Rate) = 645 Trips per Day |
| Sidewalks | Sidewalks are located along both sides of Martin Luther King, Jr. Drive, East First Street and Lawrence Street. |
| Transit | Route 3 runs along Martin Luther King, Jr. Drive. |
| Traffic Impact Study (TIS) | No TIS is required. |
| Analysis of Site Access and Transportation Information | Staff appreciates the three lateral sidewalk connections to the building and does not anticipate any negative transportation impacts from this request. The access to Martin Luther King, Jr. Drive will be converted to a right-in/right-out once a center median is installed in the future. The petitioner will need to close the unopened alley which traverses the site. |

**CONFORMITY TO PLANS AND PLANNING ISSUES**

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

**Relevant Legacy Recommendations**  
- Retail and office buildings should be near the street and sidewalk. This reduces the distance pedestrians and transit users have to travel and provides direct access to buildings along the street. Locating buildings close to the street, lining the street with trees, buffering the street with parked cars, ensuring buildings have display windows at the sidewalk edge all provide an interesting walking environment where pedestrians feel a sense of activity, enclosure and safety. Parking should be located to the rear and sides or under retail and office buildings.  
- Increased infill development could bring new opportunity and improved quality of life for residents within the MSA, especially for neighborhoods within the city. Increased tax base, property values, jobs closer to home and increased investment and amenities in these neighborhoods are some of the potential benefits.  
- Stimulate new development in slow growth areas within the Municipal Services Area.

**Relevant Area Plan(s)**  
*East/Northeast Area Plan (2008)*

**Area Plan Recommendations**  
- Special land Use Conditions: Martin Luther King Jr. Drive between Business 40 and New Walkertown Road. Properties along Martin Luther King Jr. Drive between Business 40 and Fifth Street currently have a mix of zoning districts. Office/low intensity commercial land use is recommended for properties located on the west of Martin Luther King Jr. Drive. Rezoning to the PB-S (Pedestrian
Business-Special Use District is needed to create a pedestrian-friendly character with buildings closer to the street and parking to the side or rear of buildings and to discourage uses that could have a negative visual or neighborhood impact.

<table>
<thead>
<tr>
<th>Other Applicable Plans and Planning Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Atkins Community Development Corporation (CDC) in cooperation with CCPB staff, is currently working on an overlay district amendment to the UDO which would apply to the Martin Luther King, Jr. Drive corridor. Currently, the draft includes standards which would require more pedestrian oriented building setbacks and more street level transparency i.e. windows and doors for new construction and substantial expansions.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Addressing</th>
</tr>
</thead>
<tbody>
<tr>
<td>There are no address number or street naming concerns.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(R)(3) - Have changing conditions substantially affected the area in the petition?</td>
</tr>
<tr>
<td>No</td>
</tr>
<tr>
<td>(R)(4) - Is the requested action in conformance with Legacy?</td>
</tr>
<tr>
<td>Yes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Analysis of Conformity to Plans and Planning Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed HB and RS7 to PB-S request would permit a 2,483 square foot expansion to the existing Forsyth Seafood restaurant. Currently said establishment has split zoning with only the front parking lot zoned for commercial use (HB). Under the subject request this front parking area would be removed and parking extended northward to Lawrence Street where a separate retail business is now located and is proposed for demolition. The restaurant building would be expanded to the south toward First Street and to the west. The westward expansion would include two RS7 zoned lots and would result in a squaring off of the RS7/HB zoning boundary line in this block.</td>
</tr>
</tbody>
</table>

The East/Northeast Area Plan recommends that the properties in this area be office and low intensity commercial uses which does include the proposed use of restaurant (without drive-through service). The plan further states that the “PB-S District is needed to create a pedestrian-friendly character with buildings closer to the street and parking to the side or rear of buildings and to discourage uses that could have a negative visual or neighborhood impact.” The proposed elevations for said addition (see Exhibit A) are consistent with the purpose statement and design requirements of the proposed PB District. Staff recommends approval.

<table>
<thead>
<tr>
<th>RELEVANT ZONING HISTORIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case</td>
</tr>
<tr>
<td>------</td>
</tr>
<tr>
<td>W-2706</td>
</tr>
</tbody>
</table>
## SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4,950 sf total</td>
<td>Southeastern portion of the site fronting on Martin Luther King, Jr. Drive.</td>
</tr>
<tr>
<td></td>
<td>(2,467 existing + 2,483 proposed)</td>
<td></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>29 spaces</td>
<td>42 spaces</td>
<td>Combination of 90° head in and parallel spaces</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>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>NA</td>
<td>64.63%</td>
</tr>
</tbody>
</table>

| UDO Sections Relevant to Subject Request | |
|------------------------------------------|--|---|
| • Chapter B, Article II, Section 2-1.3 (F) Pedestrian Business District | |

| Complies with Chapter B, Article VII, Section 7-5.3 | |
|-----------------------------------------------------|--|---|
| (A) Legacy policies: | Yes | |
| (B) Environmental Ord. | NA | |
| (C) Subdivision Regulations | NA | |

| Analysis of Site Plan Compliance with UDO Requirements | |
|-------------------------------------------------------|--|---|
| The petitioner and the staff worked on multiple site plan versions during the initial review process. Staff commends the petitioner for settling on a design that meets their program/business needs, yet also complies with the recommendations of the adopted plans and the requirements of the proposed PB District. | |

## 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 will allow for the expansion of an existing business.</td>
<td>The request would extend commercial zoning further into the single family neighborhood along First Street.</td>
</tr>
<tr>
<td>The request complies with the recommendations of Legacy and the East/Northeast Area Plan with good building presence on the corner of Martin Luther King, Jr. Drive and First Street.</td>
<td></td>
</tr>
<tr>
<td>The proposed site plan and elevations are consistent with the requirements and purpose statement of the proposed PB District.</td>
<td></td>
</tr>
<tr>
<td>PB-S zoning is more appropriate than the existing HB zoning.</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 NCDOT and the City of Winston-Salem Public Works Department.
  b. Developer shall petition and have closed the alley which traverses the site.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. The proposed building shall be constructed in substantial conformance with the submitted elevations labeled “Exhibit A” as verified by Planning staff.

- **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.

**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-3109
JULY 14, 2011

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

1. Paul Norby commended the petitioners for their efforts to make this project contribute in a positive way to the surrounding area and in a manner which would contribute to the Martin Luther King, Jr. Drive corridor.

2. Lynne Mitchell thanked the petitioner for providing pedestrian connections between the sidewalk and the building.

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

A. Paul Norby, FAICP
Director of Planning
DOCKET #: W3109

PROPOSED ZONING:
PB-S

EXISTING ZONING:
HB and RS7

PETITIONER:
Charles and Virginia Hardesty,
Eddie and Miriam McCarter
for property owned by Same

500' notification radius

SCALE: 1" represents 200'
STAFF: Roberts
GMA: 2
ACRES: 0.85
NEAREST BLDG: 10' west
MAP(S): 636854
**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 Email 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.*

<table>
<thead>
<tr>
<th>Project Case Number: W-3109</th>
<th>PROJECT TITLE: Forsyth Seafood</th>
<th>DATE: June 29, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PROJECT DESCRIPTION:</strong> Northwest corner of Martin Luther King Jr Drive and East First Street</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NCDOT- Phone # - 336.703.6600 Email: iprhyn@ncdot.gov**

"Acquire Driveway Permit, Coordinate with TIP Project, Wright Archer 761-5995"

(per email from John Rhyne)

[Signature]

**WSDOT- Phone # - 336.747.6872 Email: conniec@cityofws.org**

"We appreciate the connections from the public sidewalk to the building."

(Per email from Connie Curtis)

[Signature]

**City Engineer- Phone # - 336.747.6846 Email: albertcg@cityofws.org**

"DW permit req'd."

(per email from Al Gaskill)

[Signature]

**City Streets Division- Phone # - 336.734.1550 Email: robbys@cityofws.org**

"ADA mats are not required by the city at the driveways. Install ADA ramps and mats at the intersections of Lawrence Street/MLK and First Street/MLK. Repair any damages (asphalt, sidewalk, curb) that occur to Lawrence and First Street during construction."

(per email Robby Stone)

[Signature]

**Inspections (Zoning)- Phone # - 336.727.2626 Email: jeffv@cityofws.org**

"Include a note on the plan or condition that alley must be closed prior to the issuance of a grading permit."

(per email from Jeff Vaughn)

[Signature]

**Inspections (Erosion Control)- Phone # - 336.727.2388 Email: jeffk@cityofws.org**

"Land Disturbing Permit reqd."

(per email from Jeff Kopf)

[Signature]
INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE
Project Case Number: W-3109

Stormwater Division- Phone # - 336.747.6961 Email: josephf@cityofws.org

Fire (City)- Phone # - 336.747.7359 Email: jonc@cityofwsfire.org
"No FD comments."
(per email from Jon Canupp)

Utilities- Phone # - 336.747.7499 Email: courtneyd@cityofws.org
"Subject to Utilities plan review for permits and/or authorization to construct. A properly recorded deed of easement shall be recorded for all utilities within the site that do not have recorded easements. Existing connections may require evaluation for compliance with backflow preventer requirements, connection serviceability, and/or termination at the main. Structures, Retaining Walls, Trees, Heavy Plantings, Cut, Fill, or other significant disturbance shall not be permitted within water and/or sanitary sewer easements. The City of Winston-Salem shall not be held responsible for the replacement of damaged or missing improvements made within the easement area. SS line should be video inspected prior to construction work being done within the SS easement, however, SHALL be video inspected after work is completed as evidence that no damage has occurred. Repair to damage of existing SS system shall be made at the expense of the owner or the owner’s contractor(s)"
(per email from Courtney Drive)

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

Planning- Phone # - 336.747.7043/747.7068 Email: aaronk@cityofws.org
"Will the area in front of the building be grassed? Label building height; correct use to read Food or Drug Store in legend; staff recommends striped crosswalks at the 3 driveways; condition for compliance with submitted elevations."
(per email from Aaron King)

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

Uses Allowed in HB

Revised 3/17/2011
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
EXISTING HB USES ALLOWED
City of Winston-Salem Jurisdiction Only

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
EXISTING RS7 USES ALLOWED
City of Winston-Salem Jurisdiction Only

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

Uses Allowed in RS7

Revised 3/17/2011
STATEMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
W-3109
(CHARLIE & VIRGINIA HARDESTY AND EDDIE & MIRIAM MCCARTER)

The proposed special use zoning map amendment from HB (Highway Business District) and
RS7 (Residential, Single Family District) to PB-S (Pedestrian Business District) with its added
conditions is consistent with the Legacy Comprehensive Plan, and the East/Northeast Area Plan
and is reasonable and in the public interest because:

a. The request will allow for the expansion of an existing business;

b. The proposed site plan and elevations are consistent with the requirements and
   purpose statement of the proposed PB District;

c. The PB-S zoning is more appropriate than the existing HB zoning; and

d. The site has no apparent development constraints, other than the need to close an
   unopened alley.