

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

PETITION INFORMATION				
<b>Docket #</b>	W-3591			
<b>Staff</b>	<a href="#">Marc Allred</a>			
<b>Petitioner(s)</b>	Burke Etc Li LLC			
<b>Owner(s)</b>	Same			
<b>Subject Property</b>	PIN 6805-31-8451			
<b>Address</b>	4825 Country Club Road			
<b>Type of Request</b>	<p>City Council Special Use Permit request for use specific setbacks and outdoor enclosures for a Kennel, Indoor.</p> <p><b>NOTE:</b> A Special Use Permit may only be issued when the City Council affirms all findings of fact as outlined in Section 3.2.13.D.5 (Board of Adjustment) or Section 3.2.13.E.6 (Elected Body) of the UDO.</p>			
GENERAL SITE INFORMATION				
<b>Location</b>	North side of Country Club Road, between Ryandale Drive and Southwin Drive.			
<b>Jurisdiction</b>	City of Winston-Salem			
<b>Ward(s)</b>	West			
<b>Site Acreage</b>	± 0.44 acres			
<b>Current Land Use</b>	The site currently has a commercial building on it.			
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>	
	North	HB	Parking lot	
	East	HB-L	Restaurant without drive through and retail store	
	South	HB	Retail store	
	West	HB	Convenience store	
<b>Physical Characteristics</b>	Site is already developed with a parking lot and an existing building.			
<b>Proximity to Water and Sewer</b>	Site has access to public water and sewer.			
<b>Stormwater/ Drainage</b>	There are no known stormwater or drainage issues at the site.			
<b>Watershed and Overlay Districts</b>	The site is not located in a watershed or overlay district.			
<b>Analysis of General Site Information</b>	This site is already developed with a parking lot, an existing building, and has access to public utilities.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
Country Club Road	Major Thoroughfare	135 feet	20,500	27,500

Proposed Access Point(s)	The site has one existing access to Country Club Road.		
Trip Generation - Existing/Proposed	Existing trip generation cannot be determined because the building is currently unoccupied.  Proposed: 7,008 square feet/1,000 x 44.32 (Specialty Retail) = 311 trips per day		
Sidewalks	Sidewalks are located on both sides of Country Club Road.		
Transit	WSTA Route 95 stops 174 feet to the east of this site on County Club Road.		
Analysis of Site Access and Transportation Information	The site is accessible using a variety of transportation modes including transit and pedestrian options.		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	7,008		Eastern side of property
Parking	Required	Proposed	Layout
	The site was developed before 1988 and is exempt from current parking requirements.	12	90-degree layout
Building Height	Maximum		Existing
	60 feet		14 feet
Impervious Coverage	Maximum		Proposed
	85%		No new impervious surface proposed
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"><li>• UDO Section 4.6.9 Highway Business (HB) District</li><li>• UDO Section 5.2.41 Kennel, Indoor</li><li>• UDO Section 9.4.3 Maintenance, Renovation, Expansion, Reconstruction, and Parking for Nonconforming Properties</li></ul>		
Complies with Section 3.2.11	(A) Legacy policies:	Yes	
	(B) Environmental Ord.	N/A	
	(C) Subdivision Regulations	N/A	
Analysis of Site Plan Compliance with UDO Requirements	The applicant is seeking to reuse the existing building on the site as an indoor kennel. Since the proposed use requires specific setbacks which the development is unable to accommodate, the applicant is seeking a special use permit. The applicant is requesting a five (5) foot reduction for the rear building setback and a thirty-five (35) foot reduction for the rear setback for the outdoor enclosure. Additionally, a sixteen (16) foot reduction for side setbacks pertaining to both the building and the outdoor enclosure is being requested. Apart from these setback adjustments, the site meets all UDO requirements.		

CONFORMITY TO PLANS AND PLANNING ISSUES	
<b>Legacy Growth Management Area</b>	Growth Management Area 3 – Suburban Neighborhoods
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>• Encourage quality infill along growth corridors.</li> <li>• Concentrate development within the serviceable land area of Forsyth County with the highest intensities at city/town centers, activity centers, and growth corridors.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>West Suburban Update (2017)</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• The reuse of vacant buildings and the redevelopment of existing undeveloped and underutilized sites is recommended.</li> <li>• Promote the creation of new commercial opportunities and the improvement of existing commercial areas to blend with existing development.</li> <li>• The Area Plan recommends commercial for this site.</li> </ul>
<b>Site Located Along Growth Corridor?</b>	The site is located along the Country Club-Suburban Growth Corridor.
<b>Site Located within Activity Center?</b>	The site is not located within an activity center.
<b>Addressing</b>	4825 Country Club Road
<b>Other Applicable Plans and Planning Issues</b>	<p>The City Council shall issue a Special Use Permit only when it makes an affirmative finding as follows (<i>Planning staff comments in italics</i>):</p> <ol style="list-style-type: none"> <li>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; <p><i>The proposed use, Kennel, Indoor; is not a threat to public health or safety. There are other kennels along Country Club Road that are closer to neighboring structures than what is currently proposed. Additionally, there are no plans for expanding the current building.</i></p> </li> <li>2. That the use meets all required conditions and specifications; <p><i>To the extent possible, the site is compliant with all UDO requirements. This permit is necessary because the current building does not meet rear or side setback requirements for the proposed use Kennel, Indoor. The applicant is also asking for rear and side setbacks for outdoor enclosures.</i></p> </li> <li>3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and</li> </ol>

	<p><i>(Planning staff does not have the expertise to make property value determinations).</i></p> <p><i>Planning staff does not have the expertise to make property value determinations.</i></p> <p>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 <i>Legacy</i>.</p> <p><i>The use Kennel, Indoor would be appropriate within the surrounding commercial area, and the request is generally consistent with Legacy, which recommends reuse of existing buildings with quality infill along growth corridors.</i></p>
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request is consistent with the Area Plan’s proposed land use recommendation for commercial.	The proposed Kennel, Indoor use will not meet minimum use-specific setbacks unless the requested setback reduction is also approved.
The request would allow for the reuse of an existing building, keeping with <i>Legacy 2030</i> objectives.	
There are similar uses along Country Club Road that do not propose in health or safety risks for the area.	
SITE-SPECIFIC CONDITIONS OF APPROVAL	
The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:	
<ul style="list-style-type: none"><li>• <b><u>PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:</u></b><ul style="list-style-type: none"><li>a. Any outdoor enclosures must be surrounded by an opaque fence at least five (5) feet in height.</li></ul></li><li>• <b><u>OTHER REQUIREMENTS:</u></b><ul style="list-style-type: none"><li>a. Any use of the outdoor enclosure by animals or pets must be supervised by a person or persons present within the outdoor enclosure. Animal waste must be managed daily as per applicable sanitation codes and ordinances.</li></ul></li></ul>	

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3591  
SEPTEMBER 14, 2023**

Marc Allred presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

FOR: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Salvador Patiño, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

FOR: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Salvador Patiño, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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