



# Memorandum

**TO:** Mayor Allen Joines and members of the City Council  
**FROM:** A. Paul Norby, Director of Planning and Development Services  
**DATE:** April 25, 2018  
**SUBJECT:** Condition added at petitioner's request to W-3359

Bryce A. Stuart Municipal Building  
100 East First Street  
P.O. Box 2511  
Winston-Salem, NC 27102  
CityLink 311 (336.727.8000)  
[www.cityofws.org/departments/planning-and-development-services](http://www.cityofws.org/departments/planning-and-development-services)

After the April 12, 2018 Planning Board meeting where some representatives of the applicant agreed to significantly reduce the list of permitted uses, the current owner of the property was consulted and he expressed concern as to the effects of this restriction if the developers of the property are not successful in getting the financial assistance they are requesting from the NC Housing Finance Agency, and therefore, do not acquire the property.

In order to alleviate this concern and allow the case to go forward with the recommended uses unanimously approved by the City-County Planning Board, the petitioners have proposed an additional condition which would be a reversion clause. The effect of it would be to restore the present HB and RSQ zoning districts to the property if the developers do not acquire the property by September 30, 2018.

The added condition would appear under **Other Requirements** and would read as follows:

***b. PIN#s 6825-81-1994 and 6825-81-1669 shall revert back to their original (as of May 6, 2018) HB & RSQ zoning if the property owner fails to transfer ownership of said property by September 30, 2018.***

This condition has been reviewed by the City Attorney's office and Planning staff and there were no procedural or legal issues identified. Staff believes this would respect both the intent of the rezoning request, as well as the property rights of the current property owner if the proposed development does not receive its financing.

**CityLink311**

Call 311 or 336-727-8000  
[citylink@cityofws.org](mailto:citylink@cityofws.org)

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