

**CITY-COUNTY PLANNING BOARD
DRAFT STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3443		
Staff	Samuel P. Hunter		
Petitioner(s)	Camel City Commercial, LLC		
Owner(s)	Camel City Commercial, LLC		
Subject Property	PIN 6825-78-5091		
Address	492 West End Boulevard		
Type of Request	<p>City Council special use permit for a parking exemption for a Restaurant (without drive-through service) in Growth Management Area (GMA) 2.</p> <p>NOTE: Approval of a special use permit is contingent upon an affirmative finding of all Findings of Fact as outlined in the Other Applicable Plans and Planning Issues section below.</p>		
GENERAL SITE INFORMATION			
Location	Southeast portion of the intersection of Reynolda Road and West End Boulevard		
Jurisdiction	Winston-Salem		
Ward(s)	Northwest		
Site Acreage	± .11 acre		
Current Land Use	The subject property is currently vacant. There is an actors' studio in the same building at the ground level, with two residences on the floor above.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	PB HO	Micro-brewery (Joymongers Barrel Hall)
	West	IP HO	Hanes Park
	South	PB HO	Residential duplex
	East	RSQ HO	Single-family dwellings
Physical Characteristics	The existing two-story mixed-use building sits at the low end of a slope that increases in elevation as one travels eastward.		
Proximity to Water and Sewer	The building has access to public water and sewer from West End Boulevard.		
Stormwater/ Drainage	There are no known stormwater or drainage issues at the site.		
Watershed and Overlay Districts	The site is located in the West End Historic Overlay District (HO). The site is not located in a watershed.		
Analysis of General Site Information	The site is fully developed in a mixed-use, urban setting. No changes are proposed to the site.		

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
West End Boulevard	Minor Thoroughfare	94 feet	13,100	13,800
Reynolda Road	Minor Thoroughfare	No direct frontage	13,000	27,500
Proposed Access Point(s)	An existing alley at West End Boulevard and Pilot View Street provides access to the rear of the site.			
Trip Generation - Existing/Proposed	<p><u>Existing:</u> The space is currently vacant. No trips are generated.</p> <p><u>Proposed:</u> 1,750 sf/1,000 x 127.15 (high-turnover restaurant) = 222.5 trips per day</p>			
Sidewalks	Sidewalks exist on both sides of West End Boulevard and Reynolda Road.			
Transit	WSTA Route 109 runs along Reynolda Road and West End Boulevard.			
Analysis of Site Access and Transportation Information	The site is accessible using a variety of modes of transportation. While there is no off-street parking for nonresidential uses at this location, on-street parking is available near the site.			
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS				
Building Square Footage	Square Footage		Placement on Site	
	1,750		The mixed-use building occupies the majority of the site.	
Parking	Required	Existing		Layout
	18 spaces	2 spaces		Rear of the site, accessed from alley
Building Height	Maximum		Existing	
	60		Two stories	
Impervious Coverage	Maximum		Proposed	
	Unlimited		100 percent	
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 3.2.13E: Special Use Permit by Elected Body • Section 6.1.1C: Changes in Use • Section 9.4.3E: Parking for Nonresidential Structures Built Prior to March 7, 1988 			
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	<p>To the extent possible, the site is compliant with all UDO requirements. However, it is not eligible for the parking exemption pertaining to changes in use in GMAs 1 and 2 because the proposed use is Restaurant (without drive-through service). The only off-street parking provided (existing) for this mixed-use building is for the residential uses occupying the upper level. Even utilizing applicable parking reductions for proximity to transit and sidewalks, as well as the automatic reduction for Pedestrian Business (PB) zoning, the site is unable to provide the required off-street parking.</p> <p>A Restaurant (without drive-through service) at this location would be required to provide 18 spaces, not accounting for all available reductions. (With reductions, 11 spaces are required.) This request is the result of an inability to provide the required number of spaces beyond the two that currently exist.</p>
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	<p>Growth Management Area 2 – Urban Neighborhoods</p>
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Require sufficient, but not excessive parking, while protecting adjacent land uses, surrounding neighborhoods, and the environment. Provide incentives to reduce on-site parking, promote active forms of transportation, and minimize environmental impacts. • Encourage attractive parking design and more efficient use of parking. • Consider minimum and maximum on-site parking requirements, shared and on-street parking incentives and approvals, fee-in-lieu of construction options, parking lot design and connectivity, neighborhood compatibility and new technologies to reduce stormwater and other environmental impacts.
Relevant Area Plan(s)	<p><i>South Central Winston-Salem Area Plan Update (2014)</i></p>
Area Plan Recommendations	<p>The area plan recommends commercial uses for the site.</p>
Site Located Along Growth Corridor?	<p>The site is not located along a growth corridor.</p>
Site Located within Activity Center?	<p>The site is located within the West End activity center.</p>

Other Applicable Plans and Planning Issues

The City Council shall issue a special use permit only when it makes an affirmative finding as follows (*Planning staff comments in italics*):

City Council Findings:

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.

The proposed use, Restaurant (without drive-through service), is not a threat to public health or safety. There are numerous businesses with the same classification within the West End activity center. Further, no development is proposed at this location, and similar uses have been established at the same location in the past.

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

To the extent possible, the site is compliant with all UDO requirements. This permit is necessary because the proposed use makes the site ineligible for an exemption granted to other older nonresidential buildings in the same area. The existing off-street parking for this mixed-use building is for the residential uses above the space in question.

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

Planning staff does not have the expertise to make property value determinations. However, as mentioned previously, there are numerous uses with the same classification in close proximity.

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 2030*.

The site is located within an activity center, where compact, pedestrian-oriented development is encouraged that provides needed services within walking distance of residential areas. Additionally, the area plan specifically recommends strengthening the existing commercial areas in this activity center (through public and private investment) by incorporating more mixed-use development as redevelopment or new development. The proposed use is consistent with many other uses in the immediate vicinity and fits well within the recommendations of the area plan.

The activity center is characterized by its pedestrian-friendly design, with ample on-street parking to facilitate traffic calming.

	<p><i>Including back-in parking on Northwest Boulevard, the area can accommodate approximately 158 on-street parking spaces. Most of the uses in the activity center offset the on-street parking with well-located off-street parking that is not visible from Reynolda Road or West End Boulevard. Considering all available parking reductions, the presence of nearby transit and on-street parking, the ability of neighbors to walk to this location, and the high-turnover nature of the use, staff believes the request is in keeping with its surroundings and in general conformity with Legacy.</i></p>
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CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
Strengthens the West End activity center by redeveloping an existing business location.	Patrons utilizing on-street parking may take up spaces in nearby residential areas.
Ample on-street parking is available along many of the central streets in this activity center (Reynolda Road, Northwest Boulevard, West End Boulevard, Summit Street, Canal Drive).	
Does not take away from the character of the area by adding an off-street parking lot.	

STAFF RECOMMENDATION: Approval

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3443
MAY 28, 2020**

Desmond Corley presented the staff report.

George Bryan asked Desmond what kind of parking was available for the retail/office space that was there previously. Desmond stated that the UDO does not require additional parking to be provided for those uses. The only use that is required to provide additional parking in older buildings that were constructed prior to 1988 in GMAs 1 and 2 is Restaurant. Anything other than a restaurant in an older commercial building does not have to provide additional parking.

George asked if the applicant has made any attempts to accommodate customers with parking by contracting with other nearby parking lots to provide parking. Desmond stated that the applicant cannot get a use permit for zoning without the Special Use Permit, and he is not aware of any intent on the applicant's part.

George stated that there are neighbors who are already squeezed by having no off-street parking, and he hopes City Council will be more than helpful in arranging permit parking for the neighbors in that area who are having problems with parking.

Aaron King commented that this case would go forward to City Council for a quasi-judicial hearing for the issuance of a Special Use Permit. Folks will be able to attend that meeting, give sworn testimony and be able to talk about those things. Aaron stated that this subject was on City Council's radar and would expect parking needs to be discussed at that meeting. What the Planning Board is asked to do today is decide whether the site plan meets UDO requirements.

MOTION: Clarence Lambe recommended that the Planning Board find the site plan conforming to UDO requirements.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

Aaron King
Director of Planning and Development Services