

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>				
<b>Docket #</b>	W-3492			
<b>Staff</b>	<a href="#">Gary Roberts, Jr.</a>			
<b>Petitioner(s)</b>	Johanne Mary Mitchell			
<b>Owner(s)</b>	Same			
<b>Subject Property</b>	PIN 6825-78-6306			
<b>Address</b>	461 West End Boulevard			
<b>Type of Request</b>	<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><b>NOTE:</b> 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>			
<b>GENERAL SITE INFORMATION</b>				
<b>Location</b>	Northwest side of West End Boulevard, across from Summit Street			
<b>Jurisdiction</b>	Winston-Salem			
<b>Ward(s)</b>	Northwest			
<b>Site Acreage</b>	± .05 acre			
<b>Current Land Use</b>	The subject property is currently unoccupied.			
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>	
	Northeast	PB	West End Cabinet Company	
	East	PB-HO	Single-family home	
	South	PB	Contempo Furniture	
	West	GB-L	Business uses	
<b>Physical Characteristics</b>	The existing two/three-story building is adjacent to Peters Creek and a majority of the site is located within the regulatory floodplain.			
<b>Proximity to Water and Sewer</b>	The building has access to public water from West End Boulevard and public sewer to the rear of the site.			
<b>Stormwater/ Drainage</b>	There are no known stormwater or drainage issues at the site.			
<b>Watershed and Overlay Districts</b>	The site is located across the street from the West End Historic Overlay District (HO). The site is not located in a watershed.			
<b>Analysis of General Site Information</b>	The developable area of the site is impacted by the Peters Creek floodplain.			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
West End Boulevard	Minor Thoroughfare	20 feet	13,100	13,800
Unnamed private access easement		20 feet	N/A	N/A

<b>Proposed Access Point(s)</b>	The site has frontage along West End Boulevard and is served by a private access easement to the rear of the site.	
<b>Trip Generation - Existing/Proposed</b>	Existing trip generation cannot be determined because the building is currently unoccupied.  <u>Proposed:</u> 1,773 square feet/1,000 x 127.15 (high-turnover restaurant) = 225 trips per day	
<b>Sidewalks</b>	Sidewalks are located on both sides of West End Boulevard.	
<b>Transit</b>	WSTA Route 109 runs along Reynolda Road and West End Boulevard.	
<b>Analysis of Site Access and Transportation Information</b>	The site is accessible using a variety of transportation modes. While there is no off-street parking on-site, on-street parking is available near the site.	
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>		
<b>Building Square Footage</b>	<b>Square Footage</b>	<b>Placement on Site</b>
	1,773	The building occupies a majority of the site.
<b>Parking</b>	<b>Required</b>	<b>Existing</b>
	18 spaces	None
<b>Building Height</b>	<b>Maximum</b>	<b>Existing</b>
	60	Two/three stories
<b>Impervious Coverage</b>	<b>Maximum</b>	<b>Proposed</b>
	Unlimited	100 percent
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>• Section 3.2.13E: Special Use Permit by Elected Body</li> <li>• Section 6.1.1C: Changes in Use</li> <li>• Section 9.4.3E: Parking for Nonresidential Structures Built Prior to March 7, 1988</li> <li>• Section 8.1: Floodway and Floodway Fringe Regulations</li> </ul>	
<b>Complies with Section 3.2.11</b>	<b>(A) Legacy policies:</b>	Yes
	<b>(B) Environmental Ord.</b>	Yes
	<b>(C) Subdivision Regulations</b>	N/A
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	<p>The request would re-use the existing building with no expansion proposed. Because the proposed use is Restaurant (without drive-through service), it is not eligible for the parking exemption pertaining to changes of use in GMAs 1 and 2. The site is very tight and has no off-street parking. Otherwise, the site is compliant with all UDO requirements.</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 would be required.) This request is the result of an inability to provide the required number of spaces.</p>	

<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 2 – Urban Neighborhoods
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Encourage attractive parking design and more efficient use of parking.</li> <li>• 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.</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>South Central Winston-Salem Area Plan Update (2014)</i>
<b>Area Plan Recommendations</b>	The area plan recommends commercial uses for the site.
<b>Site Located Along Growth Corridor?</b>	The site is not located along a growth corridor.
<b>Site Located within Activity Center?</b>	The site is located within the West End Activity Center.
<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> <p><b><u>City Council Findings:</u></b></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 style="margin-left: 40px;"><i>The proposed use, Restaurant (without drive-through service), is not a threat to public health or safety. There are numerous other restaurants within the West End activity center. Further, no expansion to the existing building is proposed.</i></p> </li> <li>2. That the use meets all required conditions and specifications. <p style="margin-left: 40px;"><i>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 site does not have access to off-street parking.</i></p> </li> </ol>

	<p>3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and,</p> <p><i>Planning staff does not have the expertise to make property value determinations. However, as mentioned previously, there are numerous other restaurants in close proximity.</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 2030</i>.</p> <p><i>The site is located within an activity center, where compact, pedestrian-oriented development is encouraged. Activity centers are intended to provide 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. The proposed use is compatible with many other uses in the immediate vicinity and fits well within the recommendations of the area plan.</i></p> <p><i>The activity center is characterized by its pedestrian-friendly design, with ample on-street parking which facilitates traffic calming. 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 the presence of nearby transit and on-street parking, the ability of nearby residents 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
The proposed use 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 streets in this activity center (Reynolda Road, Northwest Boulevard, West End Boulevard, Summit Street, Canal Drive).	
The proposed use does not detract from the pedestrian-friendly character of the area by adding an off-street parking lot.	

**STAFF RECOMMENDATION: Approval**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3492  
AUGUST 12, 2021**

Desmond Corley presented the staff report.

George recommended that a parking study be conducted before voting on W-3492 and stated that this was not downtown Winston-Salem, where there are parking decks, and he does not want to see a decision made that would hurt retail that has been in place for a long time in that area. Jason stated that the Board is being asked to make a very limited finding as to whether, except for the conditions requiring the Special Use Permit, the site plan complies with the UDO. Desmond explained that, when one applies for a Special Use Permit for parking reduction, the reason they would be applying for the Special Use Permit isn't necessarily taken into account when the Board considers whether the plan meets UDO requirements.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe moved to certify the site plan meeting UDO requirements.

SECOND: Jack Steelman

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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Aaron King  
Director of Planning and Development Services