

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 Brookstown Development Partners, LLC, (Zoning Docket W-2936). 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 (Two Phase), 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:

**Note: The conditions listed below are only applicable to the subject property of this request and its Final Development Plan. All conditions previously approved by the City Council remain in effect for the remainder of the PB-S Two-Phase zoning (W-2936).**

- **PRIOR TO THE ISSUANCE OF ANY PERMITS:**
  - a. Prior to approval of the Final Development Plan by the City Council, the City Council shall approve a master plan for the remaining second phase of the overall PB-S Two Phase development. The master plan should include proposed building locations/placements, proposed land uses, parking areas, and should incorporate the elements of an urban mixed-use project.
  - b. The developer shall petition for and obtain closure of the section of Brookstown Avenue which currently traverses the site.
  
- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  - a. The developer shall obtain a driveway permit from the City of Winston-Salem. Required improvements include:
    - Dedication of right-of-way to the specifications of WSDOT;
    - Closure of all unused curb cuts with similar materials;
    - All improvements recommended by the approved TIA;
    - Installation of all public sidewalks as shown on the site plan; and
    - Installation of ADA detectable dome mats at all intersections where they are not currently present.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**

- a. The proposed building plans shall be in substantial conformance with the submitted elevations, as verified by Planning staff.
- b. The developer shall demonstrate that the 1,026 parking spaces required for the ballpark are reserved for that purpose in substantial conformity with the approved parking study. Any parking lease agreements used to satisfy this requirement shall be in conformance with UDO requirements.
- c. The developer shall record a plat that includes a public access easement at least thirty (30) feet in width to the City of Winston-Salem as shown on the site plan.
- d. The developer shall dedicate the .60-acre green space as a public park to the City of Winston-Salem.
- e. Improvements to and programming for the public park, including a public park signage plan, shall be approved by the City of Winston-Salem.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**

- a. All required improvements of the driveway permit shall be completed.
- b. Any damage to City maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the Public Works Department.
- c. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
- d. All existing buildings and any underground contamination shall be removed from any parkland dedicated to the City of Winston-Salem.
- e. All street trees as shown on the site plan shall be installed.
- f. The developer shall record a Public Access and Perpetual Maintenance Agreement to be reviewed and approved by the City Attorney, for the 0.60-acre tract shown on the site plan as “proposed City park space”. The Agreement shall designate the tract to be maintained by the developer, shall indicate the parties responsible for insurance of the tract, and shall include provisions establishing its public use. Violations of the Agreement shall constitute a violation of the approved conditions of zoning, and violations of the conditions of zoning shall constitute a violation of the Agreement. Any changes to the provisions of the Agreement must be approved by the City Council. Improvements shall be developed and installed consistent with the approved park plan.

- **OTHER REQUIREMENTS:**

- a. The use Services, A shall be further restricted not to allow tattoo parlors.
- b. No freestanding signage shall be permitted