

DENIAL  
STATEMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN W-3344  
(BURGER KING CORPORATION#1283)

The proposed zoning map amendment from HB MLKO (Highway Business-Martin Luther King Overlay) to HB (Highway Business) is inconsistent with the recommendations of the *Legacy Comprehensive Plan* and the *East-Northeast Area Plan Update (2015)*, in that this site is within the East Winston activity center, which includes specific design recommendations for buildings and sites. On page 44, the area plan states “locate buildings closer to the street to create an interesting and inviting public/private streetscape and locate parking to the rear or side of buildings to de-emphasize vehicles”. The proposed request does not meet these standards with its standard suburban-type building and parking placement. Therefore, denial of the request is reasonable and in the public interest because:

1. The request would allow development on the site which is not pedestrian oriented and not consistent with the purpose of the MLKO;
2. The site is surrounded by properties which have the MLKO designation; and
3. The request would establish a precedent for other properties, along this portion of Martin Luther King Jr. Drive, to be removed from the MLKO designation.