

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3500		
Staff	Amy McBride		
Petitioner(s)	Hroark Properties, LLC		
Owner(s)	Same		
Subject Property	PIN 6825-86-7809.000		
Address	421 Summit Street		
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: A Special Use Permit may only be issued when the approval body, as determined by the Principal Use Table, affirms all findings of fact as outlined in Section 3.2.13D.5 (Board of Adjustment) or Section 3.2.13E.6 (Elected Body) of the UDO.</p>		
GENERAL SITE INFORMATION			
Location	Northeast corner of Summit Street and Fourth and One-Half Street		
Jurisdiction	Winston-Salem		
Ward(s)	Northwest		
Site Acreage	± 0.16 acres		
Current Land Use	An existing building on the subject property is currently unoccupied.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	PB HO	Offices
	South	PB HO	Apartments
	East	PB HO	Offices
	West	LO HO	Bed and Breakfast
Physical Characteristics	The subject property slopes upward from the front of the building at Summit Street to the rear of the property. The lot is comprised of an existing building and parking lot. A few small planting areas exist on the perimeter of the parking area, but no there are no significant lawn or natural areas.		
Proximity to Water and Sewer	Water and sewer are available from Summit Street and Fourth and One-Half Street.		
Stormwater/ Drainage	There are no known stormwater or drainage issues at the site.		
Watershed and Overlay Districts	The subject property is not within a watershed but is within the West End HO (Historic Overlay District).		
Analysis of General Site Information	The subject property is developed with a currently unoccupied building with a small parking lot to the rear. The parcel has frontage along Summit Street and Fourth and One-Half Street. It is not located within a water supply watershed or within a designated floodplain area.		

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Summit Street.	Collector Street	70 feet	N/A	N/A
Fourth and One-Half Street	Local Street	99 feet	N/A	N/A
Proposed Access Point(s)	The site currently has access from Fourth and One-Half Street; no new access is proposed.			
Trip Generation - Existing/Proposed	Existing trip generation cannot be determined because the building is currently unoccupied. <u>Proposed:</u> 2,480 square feet/1,000 x 127.15 (high-turnover restaurant) = 315 trips per day + 2,480 square feet/1,000 x 9.57 (single-family housing) = 24 trips per day = 339 total trips per day			
Sidewalks	There are existing sidewalks along Summit Street and Fourth and One-Half Street.			
Transit	WSTA Route 107 stops at the intersection of Fourth Street and Burke Street approximately 385 feet southeast of the site.			
Analysis of Site Access and Transportation Information	The site has existing off-street parking accessed from Fourth and One-Half Street, and on-street parking is available along Summit Street. The site has good access to sidewalks and transit.			
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS				
Building Square Footage	Square Footage		Placement on Site	
	4,960		Western half of the parcel	
Parking	Required	Proposed		Layout
	11 spaces	5 spaces		90-degree head-in
Building Height	Maximum			Existing
	60 feet			Two stories
Impervious Coverage	Maximum			Proposed
	Unlimited			42 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: Off-Street Parking and Loading • Section 6.1.1C: Changes in Use • Section 6.1.5D: Parking Alternatives in Selected Zoning Districts • 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>The request will redevelop an existing building as a restaurant and single-family residence. Because one of the proposed uses is Restaurant (without drive-through service), the proposal is not eligible for the automatic parking exemption for changes of use in GMAs 1 and 2. Because of this, the Petitioner is requesting an Elected Body parking exception. All parking alternative reductions for PB zoning have been calculated and shown on the site plan. On-street parking is available on the west side of Summit Street, across from the subject property, and the north side of Fourth and One-Half Street between Summit Street and Brookstown Avenue.</p>
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy Growth Management Area	<p>Growth Management Area 2 – Urban Neighborhoods</p>
Relevant Legacy 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. • 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. • Parking requirements for older buildings that predate suburban-style development have been reduced to help in the redevelopment of older commercial areas, and parking requirement minimums have been reduced for most land uses and urban zoning district.
Relevant Area Plan(s)	<p><i>South Central Winston-Salem Area Plan Update (2014)</i></p>
Area Plan Recommendations	<p>The area plan recommends office 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>No, but the site is adjacent to the Fourth and Burke Activity Center.</p>
Other Applicable Plans and Planning Issues	<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> <ol style="list-style-type: none"> 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><i>The proposed uses are not a threat to public health or safety. There are numerous other commercial and office uses within the surrounding area, some utilizing the same mixed-use buildings.</i></p> <p>2. That the use meets all required conditions and specifications.</p> <p><i>To the extent possible, the site is compliant with all UDO requirements. This permit is necessary because the proposed use Restaurant (without drive-through service) makes the site ineligible for an exemption granted to other older nonresidential buildings in the same area. The site does have access to off-street parking.</i></p> <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.)</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 Legacy.</p> <p><i>The site is located within the West End Historic Overlay District and adjacent to the Forth and Burke activity center, where compact, pedestrian-oriented development is encouraged. Activity centers are intended to provide needed services within walking distance of residential areas. The proposed uses are compatible with many other uses in the immediate vicinity and fits well within the recommendations of the area plan. The subject parcel will continue to provide on-site parking, and on-street parking is available in this area. 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 area by redeveloping an existing business location.	The existing parking will be reduced from 10 spaces to five to allow for the proposed lawn terrace and pool.
Ample on-street parking is available along Summit Street and the north side of Fourth and One-Half Street, between Summit Street and Brookstown Avenue.	Patrons utilizing on-street parking may take up space in nearby residential areas.

The proposed uses do not detract from the pedestrian-friendly character of the area, and the existing parking lot will continue to be used for the property.	
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STAFF RECOMMENDATION: Approval

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3500
OCTOBER 14, 2021**

Desmond Corley presented the staff report.

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

SECOND: Jason Grubbs

VOTE:

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

AGAINST: George Bryan, Melynda Dunigan

EXCUSED: None

Chris Murphy, AICP
Acting Director of Planning and Development Services