

**DOCKET #:** W3014

**PROPOSED ZONING:**  
PB-S (Two Phase)

**EXISTING ZONING:**  
RS9

**PETITIONER:**  
Alma F Bedsaul Heirs  
and Stratford Burke Mill  
LLC for property owned  
by Same

**SCALE:** 1" represents 200'

**STAFF:** Reed

**GMA:** 3

**ACRES:** 2.32

**NEAREST  
BLDG:** 60' north

**MAP(S):** 612842, 606842

**F**

January 21, 2009

Alma F. Bedsaul Heirs  
c/o Carol Bedsaul Hutchins  
14 Edith Avenue  
Woburn, MA 01801-2637

RE: ZONING DOCKET W-3014

Dear Ms. Hutchins:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary's Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP  
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102  
Richard Anderson, 3366 Nottingham Road, Winston-Salem, NC 27104

**ACTION REQUEST FORM**

**DATE:** January 21, 2009  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of Alma F. Bedsaul Heirs and Stratford Burke Mill, LLC

**SUMMARY OF INFORMATION:**

Zoning map amendment of Alma F. Bedsaul Heirs and Stratford Burke Mill, LLC from RS-9 to PB-S (Residential Building, Townhouse; Residential Building, Multifamily; Life Care Community; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursing, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Bed and Breakfast; Funeral Home; Health Services, Miscellaneous; Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Testing and Research Lab; Recreation Services, Indoor; Recreation Services, Outdoor; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Adult Day Care Home; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Neighborhood Organization; Nursing Care Institution; Police or Fire Station; Post Office; Postal Processing Facility; School, Private; School, Public; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Broadcast Studio – TWO PHASE): property is located on the north side of Burke Mill Road, east of Stratford Road (Zoning Docket W-3014).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Alma F. Bedsaul Heirs  
and Stratford Burke Mill, LLC, Docket W-3014

AN ORDINANCE AMENDING THE  
WINSTON-SALEM CITY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE CITY OF WINSTON-SALEM, N.C.

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BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RS-9 to PB-S (Residential Building, Townhouse; Residential Building, Multifamily; Life Care Community; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursing, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Bed and Breakfast; Funeral Home; Health Services, Miscellaneous; Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Testing and Research Lab; Recreation Services, Indoor; Recreation Services, Outdoor; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Adult Day Care Home; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Neighborhood Organization; Nursing Care Institution; Police or Fire Station; Post Office; Postal Processing Facility; School, Private; School, Public; School, Vocational or

Professional; Stadium, Coliseum, or Exhibition Building; Broadcast Studio – TWO PHASE) the zoning classification of the following described property:

PIN# 6814-23-0015 and 6814-23-3165

Section 2. This Ordinance is adopted after approval of the site plan entitled Dick Anderson and identified as Attachment "A" of the Special Use District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_ to Alma F. Bedsaul Heirs and Stratford Burke Mill, LLC.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Dick Anderson. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

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 Alma F. Bedsaul Heirs and Stratford Burke Mill, LLC, (Zoning Docket W-3014). 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 (Residential Building, Townhouse; Residential Building, Multifamily; Life Care Community; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursing, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Bed and Breakfast; Funeral Home; Health Services, Miscellaneous; Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Testing and Research Lab; Recreation Services, Indoor; Recreation Services, Outdoor; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Adult Day Care Home; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Neighborhood Organization; Nursing Care Institution; Police or Fire Station; Post Office; Postal Processing Facility; School, Private; School, Public; School,

Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Broadcast Studio – 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:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  - a. Developer shall obtain driveway permits from the City of Winston-Salem Public Works Department. Required improvements include but are not limited to:
    - Sidewalk along Burke Mill Road and Stratford Green Lane.
    - Install curb and gutter along Burke Mill Road, Stratford Green Lane, and Stratford Green Court
    - Provide a negative access easement along Stratford Road and Burke Mill Road.
    - Coordinate with WSTA for transit accommodations.
  - b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  - a. Any damage to City maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the Public Works Department.
  - b. All requirements of the City of Winston-Salem driveway permit shall be completed.
  
- **PRIOR TO APPROVAL OF FINAL DEVELOPMENT PLAN:**
  - a. Final Development Plan shall demonstrate compliance with the recommendations of the *Southwest Suburban Area Plan*.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3014
<b>Staff</b>	<a href="#">David Reed</a>
<b>Petitioner(s)</b>	Alma F. Bedsaul Heirs and Stratford Burke Mill, LLC
<b>Owner(s)</b>	Alma F. Bedsaul Heirs and Stratford Burke Mill, LLC
<b>Subject Property</b>	Tax PIN#s 6814-23-0015 and 6814-23-3165
<b>Type of Request</b>	Special Use Zoning to PB-S
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> RS-9 <b>to</b> PB-S (TWO PHASE) Pedestrian Business District. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>Residential Building, Townhouse; Residential Building, Multifamily; Life Care Community; ABC Store; Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Motorcycle Dealer; Nursing, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Bed and Breakfast; Funeral Home; Health Services, Miscellaneous; Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Recreation Services, Indoor; Recreation Services, Outdoor; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Adult Day Care Home; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Neighborhood Organization; Nursing Care Institution; Police or Fire Station; Post Office; Postal Processing Facility; School, Private; School, Public; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Broadcast Studio; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; Utilities – TWO PHASE.</li> </ul>



<b>Zoning District Purpose Statement</b>	The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes. Through the application of the design guidelines in the Area Plan, the development will be consistent with the PB purpose statement.		
<b>Generalized Recommended Conditions</b>	Staff recommends eliminating the following uses because they are not consistent with the Area Plan recommendations: Convenience Store; Motorcycle Dealer; Storage Services, Retail; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	North side of Burke Mill Road, east of Stratford Road		
<b>Jurisdiction</b>	City of Winston-Salem		
<b>Ward(s)</b>	South Ward		
<b>Site Acreage</b>	Approximately ± 2.32 acres		
<b>Current Land Use</b>	Single Family Residential		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	RS9	Single Family Homes
	South	GO-L and RM18-S	Multifamily (under construction)
	East	RS9	Single Family Home
	West	NO-S and RS9	Single Family Homes and small office uses
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>		
	Some of the PB uses are compatible with other uses in the vicinity.		
<b>Physical Characteristics</b>	Both tracts slope down slightly to the south.		
<b>Proximity to Water and Sewer</b>	The site will be served by public water and public sanitary sewer.		

<b>Stormwater/ Drainage</b>	No known issues.			
<b>Watershed and Overlay Districts</b>	Site is not located in a regulated water supply watershed.			
<b>Analysis of General Site Information</b>	The site appears to possess no development constraints.			
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b> <ul style="list-style-type: none"> <li>Stormwater Management Study</li> </ul>			
<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>
Burke Mill Road	Minor Thoroughfare	273'	4,900	16,100
Stratford Road	Major Thoroughfare	364'	25,000	42,200
<b>Proposed Access Point(s)</b>	Since this is a general use request, the exact location of access points is unknown.			
<b>Planned Road Improvements</b>	A realignment of Burke Mill from Griffith Road to S. Stratford Road was recently completed.			
<b>Trip Generation - Existing/Proposed</b>	<u>Trip Generation/Existing Zoning: RS-9</u> Estimated 8 units (based on size and shape of site) x 9.57 (SFR Trip Rate) = 77 Trips per Day  <u>Proposed Zoning: PB-S</u> No trip generation numbers available for first phase of a Two Phase rezoning.			
<b>Sidewalks</b>	Sidewalks are recommended in the area			
<b>Transit</b>	Route 43 runs along Burke Mill Road adjacent to the subject property.			
<b>Connectivity</b>	N/A			
<b>Traffic Impact Study (TIS)</b>	Not required as part of the first phase.			
<b>Analysis of Site Access and Transportation Information</b>	No access points will be permitted on Burke Mill Road or Stratford Road.			
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b> <ul style="list-style-type: none"> <li>Sidewalk along Burke Mill Rd and Stratford Green Ln.</li> <li>Repair any damage that occurs during construction.</li> </ul>			

<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	Growth Management Plan Area 3 (Suburban Neighborhoods)
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>• Retail and office buildings should be near the street and sidewalk. This reduces the distance pedestrians and transit users have to travel and provides direct access to buildings along the street. Locating buildings close to the street, lining the street with trees, buffering the street with parked cars, ensuring buildings have display windows at the sidewalk edge all provide an interesting walking environment where pedestrians feel a sense of activity, enclosure and safety. Parking should be located to the rear and sides or under retail and office buildings. (p. 52)</li> <li>• Creating a more “compact pattern of development” will necessitate increasing the overall density and intensity of residential and commercial development in areas with public sewer, good roads and other urban services. It will also mean concentrating higher density and mixed use urban development around certain activity centers and along major transportation corridors. (p. 28)</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>Southwest Suburban Area Plan (SSAP 2008)</i>
<b>Area Plan Recommendations</b>	<p>The <i>SSAP</i> recognizes the subject property as part of the Stratford Rd/Burke Mill Rd Commercial/Multifamily Mixed-Use Area. Redevelopment in this area should incorporate a high density mix of commercial and multifamily residential uses. While commercial uses are appropriate in this area as part of a comprehensively planned development, commercial development of any kind is not recommended south of the realigned Burke Mill Road. Development in the mixed-use area should have pedestrian connections to the residential development south of Burke Mill Road.</p> <p>Future development in the Commercial/ Multifamily area should incorporate pedestrian-scaled architectural detailing and allow for a visual connection between the public realm and activity inside buildings. Sidewalks and street trees should also accompany new development here and a conscious effort should be made to link this area to the South Stratford MAC and the Hanes Mall Mixed-Use Area. Any new road construction in this sub-area should maximize connectivity.</p>
<b>Thoroughfare Plan Information</b>	Burke Mill Road (relocated) is identified in the Thoroughfare Plan as a three lane minor thoroughfare with curb and gutter, wide outside lanes, and sidewalks. Stratford Road is recommended as a four lane major thoroughfare with a raised median, curb and gutter, standard inside lanes, and wide outside lanes curb lanes with sidewalks.
<b>Greenway Plan Information</b>	N/A
<b>Applicable Rezoning</b>	<b>(S)(3) - Have changing conditions substantially affected the area in the petition?</b>

<b>Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	Yes. The realignment of Burke Mill Road and the rezonings to GO-L and RM18-S to the south of the site have affected the area.					
	<b>(S)(4) - Is the requested action in conformance with Legacy?</b>					
	Yes.					
<b>Analysis of Conformity to Plans and Planning Issues</b>	PB-S zoning would allow for the mixed use objectives recommended in the <i>Southwest Suburban Area Plan</i> provided the uses and site design meet those objectives.					
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b> <ul style="list-style-type: none"> <li>FDP shall address recommendations of the SWSAP</li> </ul>					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3000	RS-9 to PB	Withdrawn 11-13-08	Subject Site	2.32	Denial	Withdrawn
W-2981	RS-9 to GO-L	Approved 7-7-08	South	22.14	Approval	Approval
W-2982	RM18-S and RS-9 to RM18-S	Approved 7-7-08	Southeast	18.9	Approval	Approval
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>						
<b>Positive Aspects of Proposal</b>			<b>Negative Aspects of Proposal</b>			
PB-S zoning will allow for the mixed use objectives recommended in the <i>Southwest Suburban Area Plan</i>			Two Phase request does not show site design at time of zoning approval.			
<b>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</b>						
The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes, established standards, and to reduce negative off-site impacts.						
<ul style="list-style-type: none"> <li><b><u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u></b> <ol style="list-style-type: none"> <li>Developer shall obtain driveway permits from the City of Winston-Salem Public Works Department. Required improvements include but are not limited to: <ul style="list-style-type: none"> <li>Sidewalk along Burke Mill Road and Stratford Green Lane.</li> <li>Install curb and gutter along Burke Mill Road, Stratford Green Lane, and Stratford Green Court</li> <li>Provide a negative access easement along Stratford Road and Burke Mill Road.</li> <li>Coordinate with WSTA for transit accommodations.</li> </ul> </li> <li>Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department.</li> </ol> </li> </ul>						

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  - a. Any damage to City maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the Public Works Department.
  - b. All requirements of the City of Winston-Salem driveway permit shall be completed.
- **PRIOR TO APPROVAL OF FINAL DEVELOPMENT PLAN:**
  - a. Final Development Plan shall demonstrate compliance with the recommendations of the *Southwest Suburban Area Plan*.

**STAFF RECOMMENDATION: APPROVAL**

**NOTE:** These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

Lynne Mitchell: I have a question about this one. I'd like to see ABC Store eliminated.

David Reed: Staff had not included that one on our list because typically when you look at ABC Store, it's relevant to the type of neighborhood it's in and if it's a neighborhood that's in trouble with crime problems and an ABC Store would hurt that, we look at that. If it's an area like where there are no problems of that type, we kind of leave it to the ABC Board. The petitioner is here if you'd like to discuss that with him.

Lynne Mitchell: Is he willing to take it out voluntarily?

Petitioner: Dick Anderson, 3366 Nottingham Road, Winston-Salem, NC 27104

- We would prefer to keep that use in there. We don't have an agreement with ABC to put a store in that location, but we think it's a permitted use under the PB category.
- Prohibition ended 75 years ago.
- Unless there's strong opposition from one of the other Board members, we would prefer to leave it in our request.

Carol Eickmeyer: If it stays in, I'm going to be voting against it.

MOTION: Clarence Lambe moved approval of the zoning map amendment  
SECOND: Paul Mullican

Arnold King: If we took it out now and he wanted it later, he'd have to come back for a complete rezoning.

Brenda Smith: What is the reason for wanting it out?

Lynne Mitchell: I just think people should have other opportunity for public comment for ABC Stores. I understand about prohibition, but I agree that distressed neighborhoods .....staff is saying..... this is not a distressed neighborhood, but .....additional public input.....

Carol Eickmeyer: We don't need more ABC Stores in anybody's neighborhood. This is a new neighborhood and why do we want to set a tone for that as a possibility? I'm looking farther ahead rather than saying distressed or not.

Wesley Curtis: Maybe the avenue should be if there's some concern about adding review of any special type of use, that happen in the actual zoning itself. For example, in PB that would not be an allowed use in general. I'm saying if we want to have special review of certain types of uses to have them there, rather than in the middle of what we're trying to do now.

Arnold King: Coming out of the UDO.

Clarence Lambe: Permitted uses are a policy thing that's done over a long period of time. I hate to strike through permitted uses sitting here in five minutes. It's a policy and is deserving more attention than this.

Wesley Curtis: I certainly agree Carol with the concept. I think people may be okay with most uses for PB businesses except that one item which may strike a nerve for a lot people in the community. I agree with what you're saying. The question is what is the best vehicle to use to bring attention to that? Is it every time we have to strike through those or should we really take a closer look at it from a global view, and say overall this needs to have special attention, so let's put it in some other category.

Carol Eickmeyer: I agree we need to look at it from a more global point, but we are sitting here today with the possibility of opening the door for one and I would prefer that we didn't open that door.

Arnold King: Any other discussion or comments?

Jerry Clark: I don't really know what I want to say. I used to work out there and I know exactly where this area is and they just cut through the road over to Atwood and Stratford Road which is a good thing. I don't like the idea of an ABC Store going in there if there was a possibility of one going in there, but it's permitted on this list right now, so I'm having a problem making that leap that says let's change it now. I'm probably going to vote for it for that reason, but at the same time I'm not comfortable with one being there. If I was a drinking person I would probably enjoy it because I could hit there on the way home 'cuz I go that way, but I'm not so I'll probably vote for it.

Dick Anderson: I'm not aware of incidents occurring at an ABC Store per se. Maybe I'm wrong on that. It's going to provide people an opportunity to buy alcohol and take it home and do what adults do with alcohol.

Carol Eickmeyer: I'd like to observe the five years I've been on this board every time an ABC Store was on the list, I've asked that it be stricken and we have. So, this is actually very consistent with my point of view. Maybe it's time that we address it differently, but that's also why I'm bringing it up here.

Dick Anderson: Could that not be done or stricken as a use not on a per case basis but for the next person that comes in seeking an ABC application or an ABC permit too.....restrictive where it would apply.

Arnold King: That's what others have said and I see Glynis making a note over there so it's probably something we'll be discussing at a future work session.

Carol Eickmeyer: For five years that's been our policy. I can't think of one in five years that we've approved as a use in a site. Just as a point of information.

Paul Mullican: I think in a lot of those cases, though Carol, we've asked the petitioner if they'd mind us pulling it out and you know they've agreed. In this particular case the petitioner is not agreeing with it. That's why the previous discussion has taken place.

Arthur King: I agree with that. The difficulty with that, of course, is that this board has the responsibility to make recommendations in the best interest of the community and I personally have a concern and have supported Carol's motions since I've been on this board, we have typically asked the petitioner if they would mind removing it and they have generally said they didn't mind and that's okay. I guess when it comes right down to it, the question is one between policy on the one hand and action on the other. I think that I will vote to remove this from this particular one on the basis that it is consistent with what we've done in the past.

Jerry Clark: Based on that, I'll probably vote the same way.

Dick Anderson: I'd like to say one other thing. We are just trying to keep as many arrows in our quiver as possible. We have a number of conditions that are placed on us as a developer to develop this site. Burke Mill Road was just opened August 15, 2008 without curb and gutter, by the way, so several of the stipulations have been placed upon us to put curb and gutter in, to put sidewalks on Burke Mill Road and Stratford Green Lane, and on Stratford Green Court so it's ratcheting up the cost for a relatively small lot, we've got an acre and a half on one lot and eight tenths of an acre on another lot. We were just trying to keep potential uses. We don't have any contract with anybody as to who will be occupying those sites, but we wanted to keep as many potential uses as possible. We can certainly remove that one if... We're looking at it from a different perspective. We're looking at it from an economic perspective, whereas you're looking at it from a different values perspective.

Arnold King: Let me summarize where I think we are. We have a motion to approve with it in there. You're not going to get a unanimous vote on that I sense from the Board. If you're willing to take it out, I sense you probably would get a unanimous vote. But we're not the final decision maker. It's still going to the City Council. You can take whatever vote here and still go forward to the City Council and take your chances. If you take it out here, you're probably going to get approval for this. If you need an ABC Store, you can always come back and rezone and apply for that later. But that's up to you. We'd ask you do you want to take it out or leave it in?

Dick Anderson: Well, I want your support.

Arnold King: Again, I've only got one vote. If you take it out I think you've got support. If it stays in, you're going to get a mixed vote.

Dick Anderson: Guess I'd rather take it out then.

Arnold King: Do you amend your motion to delete that one use or not, Mr. Lambe? Or would you rather vote on it with it in there.

Clarence Lambe: If the petitioner agrees to remove it, I amend my motion to recommended approval with that deleted permitted use.

Paul Mullican: Second.

Arnold King: Any discussion on that?

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

David Reed; Mr. Chairman, could you also vote separately on the first phase site plan?

Arnold King: Do we have a motion on the site plan?

MOTION: Paul Mullican moved to certify that the site plan meets all code requirements and recommends staff conditions.

SECOND: Jerry Clark

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None



Comments Submitted by Planning Board Members:

Carol Eickmeyer: I voted to approve after the use ABC Store was stricken from the possible uses. Among other things, staff's comment that if this were a distressed neighborhood they would have asked for the use to be stricken strikes as much of an off note as the thought that Prohibition has been repealed.

---

A. Paul Norby, FAICP  
Director of Planning

REVIEW INFORMATION	
TYPE OF REVIEW:	<input checked="" type="checkbox"/> SPECIAL USE REZONING (TWO PHASE)
	<input type="checkbox"/> SITE PLAN AMENDMENT
	<input type="checkbox"/> SPECIAL USE PERMIT (ELECTED BODY ONLY)
	<input type="checkbox"/> FINAL DEVELOPMENT PLAN
	<input type="checkbox"/> PRELIMINARY SUBDIVISION
	<input type="checkbox"/> PLANNING BOARD REVIEW
JURISDICTION:	<input checked="" type="checkbox"/> CITY OF WINSTON-SALEM
	<input type="checkbox"/> FORSYTH COUNTY
	<input type="checkbox"/> VILLAGE OF CLEMMONS
	<input type="checkbox"/> TOWN OF WALKERTOWN
PURPOSE STATEMENT:	THE PURPOSE OF THIS REQUEST IS TO: <u>THE PURPOSE OF THIS SUBMITAL IS FOR A "SPECIAL USE REZONING - TWO PHASE" OF THE TRACT 1 AND TRACT 2 PARCELS IDENTIFIED ON THIS SITE PLAN.</u>

INFRASTRUCTURE	
WATER:	<input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE
SEWER:	<input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE
STREETS:	<input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE
LINEAR FEET OF PUBLIC STREETS:	N/A FT

SITE SIZE AND COVERAGES	
TOTAL ACREAGE:	TRACT 1 - 1.54 (FROM PLAT) ACRE(S)
	TRACT 2 - 0.79 (FROM PLAT) ACRE(S)
SITE COVERAGES:	
BUILDING TO LAND	N/A %
PAVEMENT TO LAND	N/A %
OPEN SPACE	N/A %
TOTAL	100 %
BUILDING SQUARE FOOTAGE:	N/A SF
BUILDING HEIGHT:	N/A FT

ZONING	
EXISTING ZONING:	RS9
PROPOSED ZONING:	PB-S (TWO-PHASE)
PROPOSED USES:	RESIDENTIAL BUILDING, TOWNHOUSE; RESIDENTIAL BUILDING MULTIFAMILY; LIFE CARE COMMUNITY; ABC STORE (LIQUOR); ARTS AND CRAFTS STUDIO; CONVENIENCE STORE; FOOD OR DRUG STORE; FURNITURE AND HOME FURNISHINGS STORE; GENERAL MERCHANDISE STORE; HARDWARE STORE; NURSERY, LAWN AND GARDEN SUPPLY STORE; RETAIL; RESTAURANT (WITHOUT DRIVE-THROUGH SERVICE); RETAIL STORE, SPECIALTY OR MISCELLANEOUS; SHOPPING CENTER; BANKING AND FINANCIAL SERVICES; BED AND BREAKFAST; FUNERAL HOME; HEALTH SERVICES; MISCELLANEOUS; HOTEL OR MOTEL; MEDICAL OR DENTAL LABORATORY; MEDICAL AND SURGICAL OFFICES; MOTOR VEHICLE, RENTAL AND LEASING; NON-STORE RETAILER; OFFICES; MISCELLANEOUS; PROFESSIONAL OFFICE; SERVICES, BUSINESS A; SERVICES, BUSINESS B; SERVICES, PERSONAL; STORAGE SERVICES; RETAIL; TESTING AND RESEARCH LAB; RECREATION SERVICES; INDOOR; RECREATION SERVICES; OUTDOOR; THEATER; INDOOR; AQUARIUM; BIOMEDICAL RESEARCH FACILITY; ACADEMIC MEDICAL CENTER; ADULT DAY CARE CENTER; ADULT DAY CARE HOME; CHILD CARE, DROP-IN; CHILD CARE INSTITUTION; CHILD CARE, SICK CHILDREN; CHILD DAY CARE CENTER; CHILD DAY CARE; SMALL HOME; CHURCH OR RELIGIOUS INSTITUTION; COMMUNITY; CHURCH OR RELIGIOUS INSTITUTION, NEIGHBORHOOD; CLUB OR LODGE; COLLEGE OR UNIVERSITY; GOVERNMENT OFFICES; GROUP CARE FACILITY A; GROUP CARE FACILITY B; HABITATION FACILITY C; HOSPITAL OR HEALTH CENTER; INSTITUTIONAL VOCATIONAL TRAINING FACILITY; LIBRARY; PUBLIC; MUSEUM OR ART GALLERY; NEIGHBORHOOD ORGANIZATION; NURSING CARE INSTITUTION; POLICE OR FIRE STATION; POST OFFICE; POSTAL PROCESSING FACILITY; SCHOOL, PRIVATE; SCHOOL, PUBLIC; SCHOOL, VOCATIONAL OR PROFESSIONAL; STADIUM, COLISEUM, OR EXHIBITION BUILDING; BROADCAST STUDIO.

DENSITY CALCULATIONS	
# OF UNITS OR LOTS:	N/A
DENSITY:	N/A UNITS/LOTS PER ACRE
(NOTE: IF MORE THAN ONE TYPE OF RESIDENTIAL PRODUCT IS PROPOSED, PROVIDE THE NUMBER OF UNITS & DENSITY BROKEN DOWN BY TYPE.)	

PROPERTY INFORMATION	
PIN #'S:	6814-23-0015 & 6814-23-3165

OFF-STREET PARKING	
PROPOSED USE(S):	N/A
REQUIRED PARKING:	N/A SPACES/ N/A
REQUIRED PARKING:	N/A SPACES/ N/A
REQUIRED PARKING:	N/A
REQUIRED PARKING:	N/A

OFF-STREET LOADING	
LOADING/UNLOADING SPACES REQUIRED:	N/A
LOADING/UNLOADING SPACES PROVIDED:	N/A
SIZE:	N/A FT X N/A FT

BUFFERYARDS	
ADJOINING ZONING:	RIGHT-OF-WAY
TYPE REQUIRED:	NONE REQUIRED
WIDTH PROVIDED:	N/A FT

- ### GENERAL NOTES
- EXISTING SITE BOUNDARY INFORMATION TAKEN FROM A SURVEY COMPLETED BY CAVANAUGH & ASSOCIATES, P.A. TITLED "CITY OF WINSTON-SALEM BURKE MILL ROAD R/W MAP, DATED 02/22/06. EXISTING SITE TOPOGRAPHICAL INFORMATION WAS TAKEN FROM AVAILABLE FORSYTH COUNTY TOPOGRAPHICAL MAPS. EXISTING CONTOURS ARE SHOWN AT 2' INTERVALS.
  - ALL DEVELOPMENT SHALL CONFORM WITH THE FORSYTH COUNTY "UNIFIED DEVELOPMENT ORDINANCE".
  - COORDINATE WITH WSTA FOR TRANSIT ACCOMMODATIONS.
  - REPAIR BURKE MILL ROAD, STRATFORD GREEN LANE AND STRATFORD GREEN COURT FROM ANY DAMAGES THAT OCCUR DURING CONSTRUCTION.
  - SUBJECT TO UTILITIES PLAN REVIEW FOR AUTHORIZATION TO CONSTRUCT WATER AND/OR SANITARY SEWER SYSTEMS. CONTACT CHARLES HENDRICKS, RECORDS CENTER, (336) 747-8850, FOR APPLICABLE FEES OR RATES, AND AS-BUILT MAPS.
  - CUL-DE-SACS MUST BE 90 FEET IN DIAMETER AND HYDRANTS SHALL BE WITHIN 500 FEET OF ALL COMMERCIAL AND MULTI-FAMILY BUILDINGS AND 700 FEET OF ONE AND TWO FAMILY DWELLINGS.

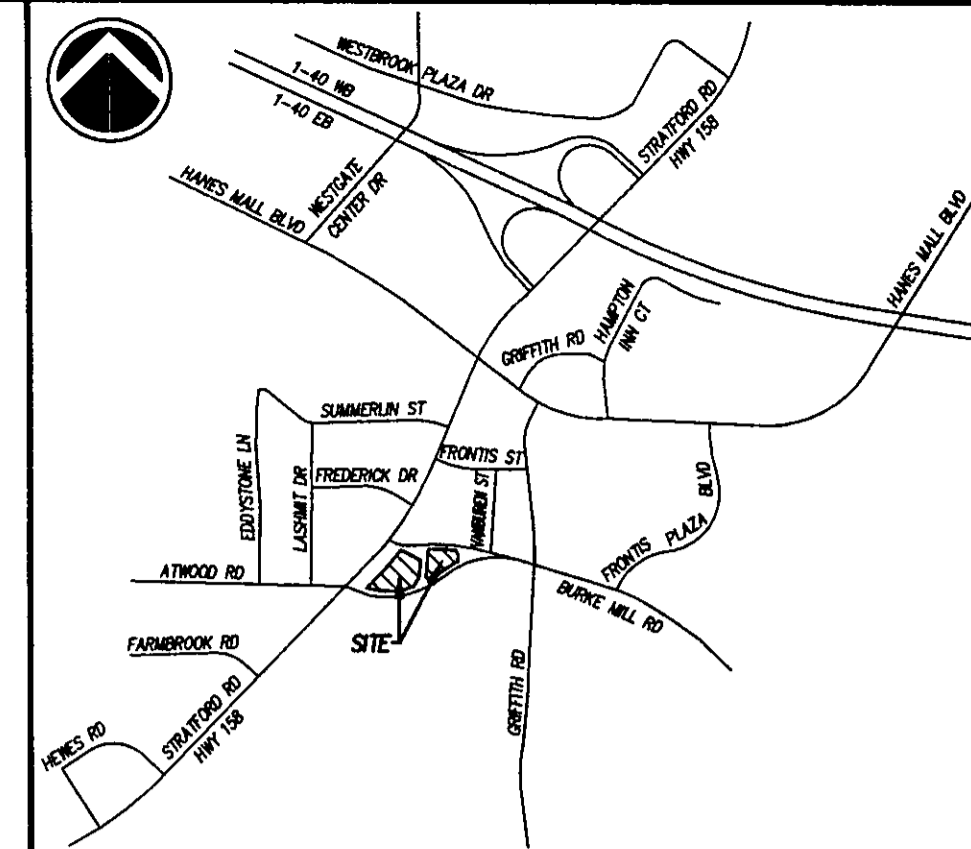
### SITE DATA

OWNER: PIN: 6814-23-0015  
ALMA F. BEDSAUL HEIRS  
14 EDITH AVENUE  
WOBIURN, MA. 1801  
PHONE: (336) 747-2770  
CAROL HUTCHINS

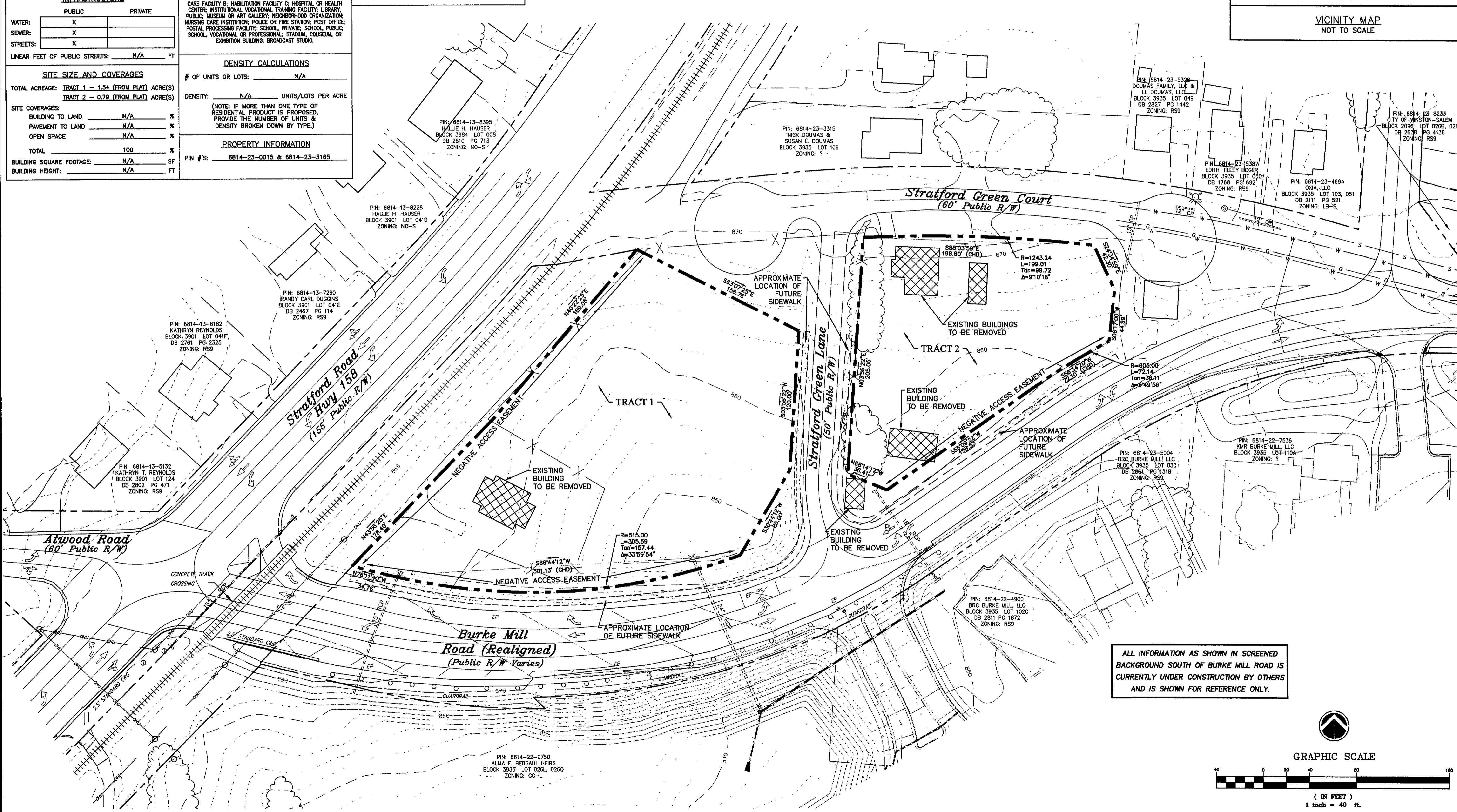
PIN: 6814-23-3165  
STRATFORD BURKE MILL, LLC  
3366 NOTTINGHAM ROAD  
WINSTON-SALEM, N.C. 27104  
PHONE: (336) 671-0845

DEVELOPER/PETITIONER: DICK ANDERSON  
3366 NOTTINGHAM ROAD  
WINSTON-SALEM, N.C. 27104  
PHONE: (336) 671-0845  
FAX: (336) 760-8886  
dickandersonllc@yahoo.com

ENGINEER: ALLIED DESIGN, INC.  
4720 KESTER MILL ROAD  
WINSTON-SALEM, N.C. 27103  
PHONE: (336) 765-2377  
FAX: (336) 760-8886  
STEVE M. CAUSEY, P.E.  
scousey@allied-engr.com



**Allied Design, Inc.**  
CIVIL ENGINEERING & LAND SURVEYING  
4720 KESTER MILL ROAD  
WINSTON-SALEM, NORTH CAROLINA 27103  
Phone: (336) 765-2377  
Fax: (336) 760-8886  
http://www.allied-engr.com



**REZONING AND SITE PLAN**  
FOR PLANNING BOARD REVIEW ONLY

**PROPOSED REZONING - TWO PHASE**  
DICK ANDERSON  
WINSTON-SALEM  
NORTH CAROLINA

PROJECT NO.: 08-056  
DRAWN BY: WAB  
CHECKED BY: SMC  
DATE: 10/20/08

NO.	DATE	DESCRIPTION
A	11/02/08	ISSUED FOR PRE-SUBMITTAL REVIEW
B	11/02/08	ISSUED FOR PLANNING BOARD REVIEW
C	01/02/09	ISSUED FOR PLANNING BOARD APPROVAL

PRELIMINARY  
SITE PLAN  
(TWO PHASE)  
SHEET  
**C1**  
OF 1

ALL INFORMATION AS SHOWN IN SCREENED BACKGROUND SOUTH OF BURKE MILL ROAD IS CURRENTLY UNDER CONSTRUCTION BY OTHERS AND IS SHOWN FOR REFERENCE ONLY.

