

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket	W-3561
Staff	Amy McBride
Petitioner(s)	Konstandinos Rizos and Efstratios Ferentinos
Owner(s)	Same
Subject Property	PIN 6804-59-4138
Address	299 Jonestown Road
Type of Request	Special Use rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from LB-S (Limited Business - Special Use) to HB-S (Highway Business-Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Restaurant (With Drive-Through Service) • Restaurant (Without Drive-Through Service) • Offices
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.
Zoning District Purpose Statement	The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. However, the district is not intended to encourage or accommodate strip commercial development. Developments in this district generally have substantial front setbacks. This district is intended for application in GMAs 2, 3, and 4
Rezoning Consideration from Section 3.2.19 A 16	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?
	Yes, the site is located within GMA 3 along a major thoroughfare.
GENERAL SITE INFORMATION	
Location	The east side of Jonestown Road between Mar-Don Drive and Frandale Drive.
Jurisdiction	Winston-Salem
Ward(s)	Southwest
Ward(s) July 2023	Southwest
Site Acreage	± 1.28 acres
Current Land Use	The site currently contains a vacant restaurant (without drive-through service).

Surrounding Property Zoning and Use	Direction	Zoning District	Use			
	North	LB-S and RS9	Office building and single-family homes			
	East	NO-S	Office building			
	South	HB-S	Shopping center			
	West	LB-S	Multi-tenant retail			
Rezoning Consideration from Section 3.2.19 A 16	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	The list of proposed uses is generally compatible with the adjacent commercial uses. The restaurant (with drive-through service) use is less compatible with the adjacent RS9-zoned properties.					
Physical Characteristics	The site was previously developed and consists of impervious surfaces (asphalt parking area and an existing building) with some lawn areas and landscaping. A six-foot opaque wooden fence exists between the site and the adjacent residential property to the northeast.					
	The site has a gentle slope downward from Jonestown Road toward the southeast. There is a thin strip of trees between the subject property and the existing office building to the southeast. This area will be retained and used as a part of the required Type II Bufferyard. There is also some established streetyard landscaping along the Jonestown Road and Mar-Don Drive frontages.					
Proximity to Water and Sewer	The subject property has access to public water and sewer along Jonestown Road.					
Stormwater/ Drainage	No known stormwater or drainage issues exist on-site.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	The subject property includes an existing vacant restaurant. The property has generally favorable topography and is not located within a water supply watershed or regulated floodplain.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2899	RS9 to NO-S	Approved 2/5/2007	Adjacent property to the southeast	.45	Approval	Approval
W-2568	RS9 and LB-S to LB-S	Approved 9/3/2002	Adjacent property to north	1.16	Approval	Approval

W-2294	RS9 and LB-S to LB-S	Withdrawn 3/1/1999	Adjacent property to north	1.16	Denial	Denial
W-2200	LB-S to LB-S	Denied 1/5/1998	Adjacent property to north	1.16	Denial	Denial

SITE ACCESS AND TRANSPORTATION INFORMATION

Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Jonestown Road	Major Thoroughfare	127 feet	20,000	31,700
Mar-Don Drive	Local Street	275 feet	N/A	N/A
Proposed Access Point(s)	The site will continue to be served by the existing access points from Jonestown Road and Mar-Don Drive.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning – LB-S:</u></p> <p>Existing building is 4,046 square feet.</p> <p>$4,046/1,000 = 4.05 \times 127.15$ (high-turnover restaurant trip rate) = 515 trips per day</p> <p><u>Proposed Zoning – HB-S:</u></p> <p>Proposed building is 4,157 square feet.</p> <p>$4,157/1,000 = 4.16 \times 496.12$ (drive-through restaurant trip rate) = 2,064 trips per day</p>			
Sidewalks	There are existing sidewalks along both sides of Jonestown Road. The proposed site plan will extend the existing sidewalk to the intersection with Mar-Don Drive.			
Transit	WSTA Route 81 serves Jonestown Road approximately 150 feet southwest of the site.			
Transportation Impact Analysis (TIA)	A TIA was not required for this site.			
Analysis of Site Access and Transportation Information	Jonestown Road is a five-lane facility with ample capacity. The site has frontage along a major thoroughfare and local collector street. The plan proposes to use the existing access points from these roadways. The petitioner has agreed to dedicate right-of-way and complete a missing			

	sidewalk segment to connect existing sidewalk on the adjacent property to the north and the shopping center across Mar-Don Drive.		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	4,157		Centrally located
Parking	Required	Proposed	Layout
	42	50	90-degree head-in and 60-degree angled
Building Height	Maximum		Proposed
	60 feet		One-Story
Impervious Coverage	Maximum		Proposed
	85 percent		70.5 percent
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 4.6.9: Highway Business District 		
Complies with Section 3.2.11	(A) Legacy 2030 policies:	Yes	
	(B) Environmental Ord.	N/A	
	(C) Subdivision Regulations	N/A	
Analysis of Site Plan Compliance with UDO Requirements	<p>The request would reuse a vacant restaurant establishment. The total proposed building square footage is 111 square feet greater than the existing building. The existing parking lot exceeds the minimum parking spaces required and the lot will be reduced by 8 spaces to provide a drive aisle adjacent to the proposed drive-thru window.</p> <p>The petitioner will maintain the existing six-foot opaque fence to buffer against the RS9 properties to the northeast.</p>		
CONFORMITY TO PLANS AND PLANNING ISSUES			
Legacy 2030 Growth Management Area	Growth Management Area 3 – Suburban Neighborhoods		
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> Encourage reuse of vacant and underutilized commercial and industrial sites. Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area. Encourage convenient services at designated areas to support neighborhoods consistent with the Growth Management Plan. 		
Relevant Area Plan(s)	<i>West Suburban Area Plan Update (2018)</i>		
Area Plan Recommendations	<ul style="list-style-type: none"> The proposed land use map recommends Commercial land use at this location. 		

	<ul style="list-style-type: none"> Commercial areas should be compact with limited access to major thoroughfares and should not promote strip development. The reuse of vacant buildings and the redevelopment of existing undeveloped and underutilized sites is recommended, where possible.
Site Located Along Growth Corridor?	The subject property is not located along a growth corridor.
Site Located within Activity Center?	The subject property is not located within an activity center.
Comprehensive Transportation Plan Information	The 2045 <i>Comprehensive Transportation Plan</i> (CTP) recommends Jonestown Road be converted to a four-lane facility with raised median, wide outside lanes and sidewalks.
Addressing	The site will continue to be addressed 299 Jonestown Road.
Rezoning Consideration from Section 3.2.19 A 16	Have changing conditions substantially affected the area in the petition?
	No.
	Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes.
Analysis of Conformity to Plans and Planning Issues	<p>The request is to rezone the approximately 1.28-acre property from LB-S to HB-S to add the uses restaurant (with drive-through) and offices. The proposed site plan will expand the existing restaurant building to accommodate a new drive thru window.</p> <p>The subject property is adjacent to other LB-S and HB-S districts and commercial uses. Single-family homes are adjacent to the property for a short distance along its northern boundary. The proposed site plan shows the required buffering against the abutting single-family zoned property. The request does not propose any new access points. The petitioner is providing additional sidewalk along Jonestown Road to provide greater pedestrian connectivity.</p> <p>The <i>West Suburban Area Plan Update</i> recommends commercial use for the subject property. <i>Legacy 2030</i> recommends reutilizing vacant and underutilized sites with appropriate development in context to the area. The petitioner is requesting to add the additional uses that will facilitate these goals. Staff recommends approval of this request.</p>
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request is generally consistent with the goals of <i>Legacy 2030</i> .	This request would extend high-intensity commercial zoning farther north along Jonestown Road.

The West <i>Suburban Area Plan Update</i> proposed land use map recommends the site for commercial uses.	The proposal will increase traffic along Jonestown Road.
The proposal will reuse an existing vacant building for a use compatible and complementary with the surrounding development pattern.	
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL	
<p>The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:</p> <ul style="list-style-type: none"> • <u>PRIOR TO ISSUANCE OF ANY PERMITS:</u> <ul style="list-style-type: none"> a. Developer shall obtain a driveway permit from NCDOT as required. • <u>PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:</u> <ul style="list-style-type: none"> a. All required improvements of the NCDOT driveway permit shall be completed as required. b. Developer shall dedicate additional right-of-way along Jonestown Road per WSDOT requirements. c. Additional sidewalk along Jonestown Road shall be constructed to City of Winston-Salem standards. 	

STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; the City-County Planning Board makes final recommendations, and final action is taken by the appropriate Elected Body, which may approve, deny, continue, or request modification to any request. **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.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3561
JANUARY 12, 2023**

Bryan Wilson presented the staff report.

Mr. Bryan stated that a well-written letter was sent to the Planning Board and wanted to know staff's analysis of the stated concerns. Bryan Wilson responded that staff believes the current request is simply a reutilization of an existing site. Chris Murphy also noted that the plan mentioned in the letter was from 38 years ago. Before OSO Eats existed here, the site was named to a Boston Market. This proposal is only adding one use, Restaurant without drive-through, and a full-scale redevelopment is not being proposed.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

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

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:

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

AGAINST: None

EXCUSED: None

Chris Murphy, AICP/CZO
Director of Planning and Development Services