

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket	W-3656		
Staff	Ellie Levina		
Petitioner(s)	Jemsite Development, LLC		
Owner(s)	Same		
Subject Property	PIN 6817-83-1559		
Type of Request	Site Plan Amendment for Restaurant with Drive-Through Service in a GB-S zoning district.		
Proposal	This request is for approval of a Site Plan Amendment of Zoning Docket W-3266. The revised plan proposes to replace the originally approved 9,000 square-foot retail building with a 2,195 square foot restaurant with drive-through service.		
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.		
GENERAL SITE INFORMATION			
Location	North side of Fairlawn Drive between Fairlawn Court and Silas Creek Parkway.		
Jurisdiction	City of Winston-Salem		
Ward(s)	North		
Site Acreage	± 0.97 acres		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RM12-S	Apartments
	East	GB-S	Various commercial uses
	South	GB-S	Restaurant with drive-through (Culvers) and undeveloped land (future Caliber Collision)
	West	RM12-S	Apartments
Physical Characteristics	The subject property is relatively flat and was previously graded. The northern portion of the site contains a private drive, a screened dumpster, and a parking area.		
Proximity to Water and Sewer	The site has access to a public water line running through the site. Public sewer will be access via a private connection to public sewer located offsite to the north.		
Stormwater/ Drainage	The overall shopping center has an approved stormwater management plan approved in 2020. Staff is unaware of any known stormwater issues.		
Watershed and Overlay Districts	This site is not located within a water supply watershed or overlay district.		

Analysis of General Site Information		The 0.97-acre parcel is located within a developed commercial retail center. The site has been mass graded and has access to public utilities. The northern portion of the site has already been developed with an existing parking area and dumpster.				
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3641	GB-S to GB-S	Approved 03/17/2025	South	3.25	Approval	Approval
W-3393	GB-S to Site Plan Amendment	Approved 1/7/2018	East	0.87	Approval	Approval
W-3266	GO-S, GB-S, & RM12-S to GB-L, LO-L, & GB-S	Approved 07/20/2015	Contains subject property	27.06	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name		Classification	Street Maintenance	Frontage	Average Daily Trip Count	Capacity at Level of Service D
Fairlawn Drive		Major Thoroughfare	NCDOT	234'	14,000	27,500
Proposed Access Point(s)		The proposed site plan depicts one access point on an existing private drive off of Fairlawn Court that also provides connectivity with the rest of the retail businesses to the east of the site. The site also has access to two right-in, right-out access points on Silas Creek parkway and Fairlawn Drive through this adjoining development.				
Proposed Road Improvements		No road improvements are requested or proposed as part of this request.				
Trip Generation - Existing/Proposed		<u>Existing Zoning: GB-S</u> Approved (unconstructed) 9,000 sf retail building /1,000 sf x 54.45 (General Retail Store) = 491 Trips Per Day <u>Proposed Zoning: GB-S</u> 2,195 sf / 1,000 sf x 496.12 (Fast Food Restaurant with Drive Thru) = 1,089 Trips per Day				
Sidewalks		Sidewalks exist along both sides of Fairlawn Drive. The plan shows all required sidewalk cross-connections to Fairlawn Drive and Fairlawn Court.				

Transit	WSTA Routes 88, 99, and 109 stop at the intersection of Fairlawn Drive and Reynolda Road, approximately ¼ of a mile to the west of the site.		
Connectivity	The site will be accessed using an existing internal cross-access driveway, which serves the Novant Health urgent care and other commercial uses to the east of the site. No other access points are proposed as part of this request.		
Analysis of Site Access and Transportation Information	The proposed Restaurant with Drive-Through use is a high-traffic-generating use. The most recent NCDOT trip counts show Fairlawn Drive has ample capacity to handle additional traffic. The request is not proposing any new driveways onto Fairlawn Drive. The site has excellent multimodal access to pedestrian and public transit facilities.		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	2,195 sf		Various locations (see site plan)
Parking	Required	Proposed	Layout
	22 spaces	29 spaces	A mixture of 90-degree head-in and angled parking
Building Height	Maximum		Proposed
	60’		23’
Impervious Coverage	Maximum		Proposed
	No Limit		69%
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none">• Section 4.6.10 – GB General Business District• Chapter 6: Development Standards		
Complies with Section 3.2.11	(A) Forward 2045 policies:	Yes	
	(B) Environmental Ord.	N/A	
	(C) Subdivision Regulations	N/A	
Analysis of Site Plan Compliance with UDO Requirements	<p>The site plan proposes a 2,195 square-foot restaurant with drive-through and required parking area. The plan shows the required Type II Bufferyard along the northern property line next to the adjacent apartments. The plan shows all required streetyards and sidewalk connections.</p> <p>The proposed building elevations comply with the Phase One conditions of W-3266, which require the building exterior to be at least sixty-five percent (65%) brick and to have a front façade with a minimum transparency of fifty percent (50%) including windows and doors. The petitioner has worked with staff to orient the building as close as is feasible to Fairlawn Drive. The site plan adheres to impervious coverage limits and meets all other UDO requirements and previous rezoning conditions.</p>		

CONFORMITY TO PLANS AND PLANNING ISSUES	
Forward 2045 Growth Management Area	Growth Management Area 3 – Suburban Neighborhoods
Relevant Forward 2045 Recommendations	<ul style="list-style-type: none"> • Prioritize vacant properties that are appropriate for commercial development. • Encourage infill development in areas with access to existing public services and infrastructure.
Relevant Area Plan(s)	<i>North Suburban Area Plan Update (2014)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The Proposed Land Use Map recommends office uses for the subject property. However, the official parcel-specific land use recommendation was changed to commercial land uses with the approval of zoning case W-3266 in 2015. • Commercial areas should be compact with limited access to major thoroughfares and should not promote strip development. • Create new commercial opportunities and improve existing commercial areas to blend with existing development while not infringing on nearby neighborhoods.
Site Located Along Growth Corridor?	The site is not within a Growth Corridor but is located just to the west of the Silas Creek Parkway Growth Corridor.
Site Located within Activity Center?	The site is not located within an Activity Center but is within walking distance to the Reynolda Road/Fairlawn Drive Activity Center west of the site.
Analysis of Conformity to Plans and Planning Issues	<p>The request is for approval of a Site Plan Amendment on a site zoned GB-S. The petitioner is proposing to replace a previously approved 9,000 square foot retail space with a 2,195 square foot restaurant with drive-through service.</p> <p>The request conforms to the recommendations of both <i>Forward 2045</i> and the <i>North Suburban Area Plan</i> by promoting commercial development on a vacant commercially-zoned site. The request is consistent with the Phase One conditions of the original rezoning request. The proposed building will be of similar building materials to the surrounding development.</p> <p>The revised site plan maintains the intent of the property's 2015 rezoning and allows for the development of a parcel within an existing commercial destination.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request conforms to the general recommendations of <i>Forward 2045</i> and the <i>North Suburban Area Plan Update</i> .	The proposed restaurant with drive-through use is estimated to generate a substantial amount of traffic.
The request would allow for the development of a vacant commercially-zoned site within an already developed commercial area.	
The site has excellent access to multimodal transit.	
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL	
The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:	
<ul style="list-style-type: none">• <u>PRIOR TO ISSUANCE OF BUILDING PERMITS:</u><ul style="list-style-type: none">a. The exterior walls of all buildings on the subject property must consist of a minimum of sixty-five percent (65%) brick. Brick color shall be consistent with the brick colors “Milwaukee” and “St. Windsor Thin Brick”.b. The front façade of the structure facing Fairlawn Drive shall be composed of fifty 50%) transparency including windows and doors as shown on the proposed building elevations.c. All rooftop HVAC equipment located on the subject property shall be completely screened from view along all public streets.• <u>PRIOR TO ISSUANCE OF BUILDING PERMITS:</u><ul style="list-style-type: none">a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.• <u>PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:</u><ul style="list-style-type: none">a. Freestanding signage shall be limited to a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet. Freestanding signage for the entire subject property shall be constructed of the same material. Monument signs shall consist of a brick base with a brick or precast cap.b. Streetyard plantings for the entire subject property shall consist of Shumard Oaks (<i>Quercus Shumardii</i>) or comparable variety for the trees and Carissa Holly (<i>Ilex cornuta</i> ‘Carissa’) or comparable variety for the shrubs which shall be the primary plant materials. Additional trees and shrubs may be used to supplement the required species listed above.	

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-3656 AUGUST 14, 2025

Bryan Wilson presented the staff report.

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: Chris Leak

VOTE:

FOR: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak,
Dixon Pitt, Lindsey Schwab, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning amendment.

SECOND: Chris Leak

VOTE:

FOR: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak,
Dixon Pitt, Lindsey Schwab, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

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