



DOCKET #: W2378

PROPOSED ZONING:
LB-S (General
Merchandise Store)

EXISTING ZONING:
RS9

PETITIONER:
Goodwill Industries
for property owned by others

SCALE: 1" represents 200'

STAFF: L. Weston

GMA: 3

ACRE(S): 1.28

MAP(S): 606846

March 22, 2000

Goodwill Industries for property owned by
McGuire Construction Company and Hubbard Realty
Attn: Billy Whitaker, President
2701 University Parkway
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT W-2378

Dear Mr. Whitaker:

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

Sincerely,

A. Paul Norby, AICP
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102
Tan F. Ersoy, AIA, 514 S. Stratford Road, Suite 412, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: March 22, 2000
TO: The Honorable Mayor and Board of Aldermen
FROM: A. Paul Norby, AICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Goodwill Industries for property owned by McGuire Construction Company and Hubbard Realty

SUMMARY OF INFORMATION:

Zoning map amendment of Goodwill Industries for property owned by McGuire Construction Company and Hubbard Realty from RS-9 to LB-S (General Merchandise Store): property is located on the west side of Jonestown Road between Randall Street and Southwin Drive Forsyth County Tax Maps and on a site plan on file in the office of the City-County Planning Board (Zoning Docket W-2378).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: APPROVED

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Goodwill Industries for property owned by McGuire Construction Company and Hubbard Realty, Docket W-2378

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

BE IT ORDAINED by the Board of Aldermen 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 LB-S (General Merchandise Store) the zoning classification of the following described property:

BEGINNING at an iron, said iron being the Northwest corner of the property T. Bovender as described in deed recorded in deed book 1203, page 1789, said iron being in the East line of the F. Blackburn property as described in deed recorded in deed book 675, page 381, thence from said beginning point, along Blackburn's East line North 25° 22' 00" East 228.71 feet to an iron; thence South 85° 33' 15" East 243.75 feet to an iron in the western right-of-way line of Jonestown Rd.; thence along the western right-of-way line of Jonestown Rd. on a curve to the right a chord bearing in distance of South 12° 55' 29" West 205.74 feet to an iron corner with Nancy R. Reynolds' property; thence along the North line of Nancy R. Reynolds and T.G. Bovender North 87° 31' 23" West 295.24 feet to a point and place of beginning, containing 1.28 acres, more or less, all according to survey of John Edward Beeson, dated December 30, 1986 and being identified as lots 3B and 4B, Block 3941 and lot 73 Block 3905, Forsyth County Tax Maps as presently constituted and being the identical property described in deed recorded in Deed Book 1140, page 593, Forsyth County Registry.

Section 2. This Ordinance is adopted after approval of the site plan entitled Goodwill - Jonestown Road and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the _____ day of _____, to Goodwill Industries for property owned by McGuire Construction Company and Hubbard Realty.

Section 3. The Board of Aldermen 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 Goodwill - Jonestown Road. 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 Board of Aldermen

of the City of Winston-Salem

The Board of Aldermen 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 Goodwill Industries for property owned by McGuire Construction Company and Hubbard Realty, (Zoning Docket W-2378). 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 LB-S (General Merchandise Store), approved by the Winston-Salem Board of Aldermen the _____ day of _____, 19____" and signed, provided the property is developed in accordance with requirements of the LB-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:

C PRIOR TO THE ISSUANCE OF GRADING PERMITS

- a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

C PRIOR TO THE ISSUANCE OF BUILDING PERMITS

- a. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
- b. Developer shall dedicate a minimum of five (5) feet of new public right-of-way in fee simple to the North Carolina Department of Transportation along the entire frontage of the property on Jonestown Road.

C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS

- a. Any required storm water management devices shall be installed.
- b. If open storm water management devices are installed on this property, a ten (10) foot streetyard landscaping area shall be installed around the entire perimeter of each facility.
- c. All required fire hydrants shall be installed in accordance with the City Fire Department.
- d. Connections to the north and south shall be constructed as shown on the site plan. Developer shall allow this drive to be connected and allow access to the properties to the north and south in the future.

ZONING STAFF REPORT

DOCKET # W-2378

STAFF: Larry F. Weston

Petitioner(s): Goodwill Industries

Ownership: McGuire Construction Company and Hubbard Realty

REQUEST

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf

To: LB-S Limited Business District (General Merchandise Store)

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

Acreage: 1.28 acres

LOCATION

Street: West side of Jonestown Road Between Randall Street and Southwin Drive.

Jurisdiction: City of Winston-Salem.

Ward: West.

SITE PLAN

Proposed Use: General Merchandise Store.

Square Footage: 10,000 sf.

Building Height: One story.

Parking: 50 spaces required; 62 spaces provided..

Bufferyard Requirements: Type II bufferyard adjoining all residentially zoned land with no intervening street.

Vehicular Use Landscaping Standards Requirements: City standards will apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: The site is vacant.

Adjacent Uses:

North - Vacant land zoned RS-9.

East - Summit Square Shopping Center across Jonestown Road, and Boston Market on the southeast corner of Jonestown Road and Frandell Road, both zoned LB-S.

South - Single family dwellings along the north side of Eastwin Drive zoned RS-9.

West - Single family dwellings along the north side of Eastwin Drive zoned RS-9.

GENERAL AREA

Character/Maintenance: The area north of US 421 and south of Country Club Road on Jonestown Road contains a mixture of commercial and office uses. A few single family dwellings remain along this segment of Jonestown, but they are heavily impacted by the growth of commercial activity and vehicular traffic at this very busy crossroads that lies between a main thoroughfare (Country Club Road) and a major highway (US 421).

Development Pace: Rapid.

PHYSICAL FEATURES

Topography: The site slopes gradually downward towards the east.

Vegetation/habitat: The site is sparsely wooded.

Constraints: None.

Impact on Existing Features: Limited clearing, and some grading will be required to develop this site.

TRANSPORTATION

Direct Access to Site: Jonestown Road.

Street Classification: Jonestown Road - major thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (vehicles per day): South of Country Club Road - 20,000/26,000 (98); south of US 421 - 20,802/27,000 (95 WSDOT)

Trip generation/existing zoning (average week day): RS-9 -- $55,767/9,000 = 6 \text{ lots} \times 9.55 = 59$ new trips

Trip generation/proposed zoning (average week day): LBS - a free standing discount store was chosen as the category for the estimation of trips: $10,000/1,000 \text{ sf} = 10 \times 56.63$ trip rate = 566 trips

Sight Distance: Good.

Transit: WSTA Route 12 serves the area.

HISTORY

Relevant Zoning Cases:

1. W-2200; LB-S Limited Business District [Restaurant (without drive-through service)] and RS-9 to LB-S (Car Wash); denied January 5, 1998; southeast corner of Frandell Road and Jonestown Road; 1.14 acres; Planning Board and staff recommended denial.
2. W-2183; RS-9 to LI-S (Manufacturing B); withdrawn October 6, 1997; south side of Mar-Don Drive across from Mar-Don Hills Court; 6.45 acres; Planning Board and staff recommended denial.

3. W-1895; R-4 to B-3-S (Eating Establishment); approved May 2, 1994; includes southern portion of Boston Market site and additional parcel along Mar-Don Drive; 1.93 acres; Planning Board and staff recommended approval.
4. W-1486; R-5 to B-3-S (Laundry, dry cleaning or linen supply services); approved January 4, 1998; southeast corner of Randall Avenue and Jonestown Road; 0.37 acres; Planning Board and staff recommended approval.
5. W-1447; R-4 to B-3-S (Multiple business uses); approved August 3, 1987; northeast corner of Jonestown Road and Frandell Road; 3.5 acres; Planning Board and staff recommended approval.
6. W-1333; R-4 and B-3 to B-3-S (Multiple business uses); approved March 3, 1986; southeast corner of Jonestown Road and Mar-don Drive; 9.4 acres; Planning Board and staff recommended denial.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 3: Urban.

Relevant Comprehensive Plan Recommendation(s): Separation and buffering of commercial uses from residential areas; clustered commercial service areas.

Area Plan/Development Guide: *Country Club/Jonestown Area Plan*.

Relevant Development Guide Recommendation(s): The area plan anticipates “controlled transition” from single family residential uses along Jonestown Road to commercial and office uses under certain conditions and design standards. The plan recommends commercial development for this site. The uses proposed are listed among the specific land uses identified as “permitted” in the area plan for Jonestown Road. Design features (landscaping, rear parking, etc.) are also recommended.

ANALYSIS

The current proposal is to rezone 1.28 acres from RS-9 and LB-S (General Merchandise Store). Adjoining the site to the south is vacant land zoned RS-9. North of the site is a vacant parcel and A Cleaner World dry cleaners. A shopping center exists across Jonestown Road and another one exists approximately 250 feet south of the project site. A lone single family home remains on the west side of Jonestown Road south of the site. Jonestown Road is a five lane major thoroughfare.

The *Country Club/ Jonestown Area Plan* proposes commercial land uses be developed at the current site and along the remainder of the west side of Jonestown Road in a controlled transition pattern. Since adoption of the plan, there has been intensive commercial development in the surrounding area. There continues to be concern about the type of commercial development that is approved, and how the specific uses meet the goal of an orderly transition from commercial to residential land uses along Jonestown Road. The mounting traffic placed on existing streets in this area makes consideration of new zoning and land uses even more important with regards to their potential impact on residents and existing businesses in this changing neighborhood.

The area plan is very specific about the types of uses that are “permitted” in the Jonestown - US 421 area as a means of encouraging “controlled transition” to office and commercial uses. The uses proposed in the petition are among those permitted.

Staff has consistently sought rear connections, per the recommendations of the *Country Club/ Jonestown Area Plan*, between commercially developed lots on the west side of Jonestown. This has been done in an effort to reduce the traffic impact of such development. Petitioners in this case have also been requested to provide a connection in the rear of the site on both the north and south ends.

FINDINGS

1. The petition is consistent with *Vision 2005*.
2. The land use and zoning proposed is consistent with the *Country Club/Jonestown Area Plan*.
3. Connections for traffic flow at the rear of the site have been requested to reduce possible impacts on the traffic circulation system in the area and the adjacent residential neighborhood.
4. The petition supports the objective of a pattern of "controlled transition" to office and retail uses.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions:

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[For information purposes only: The *Legacy* plan calls for focused commercial development rather than linear development. The concepts laid out in the plan for compact, mixed use metro activity centers have application to community wide and neighborhood commercial nodes as well. The commercial area along this section of Jonestown Road can be considered a community serving commercial center. The plan also proposes more mixing of residential and commercial uses to reduce the number and length of vehicle trips and to support walking and transit.]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: James Rousseau moved approval of the zoning map amendment.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Bost, Johnson, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

MOTION: James Rousseau certifies that the site plan meets all code requirements.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Bost, Johnson, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning