



**DOCKET #:** W2431

**PROPOSED ZONING:**

LB-S (Multiple Business Uses)

**EXISTING ZONING:**

LO-S (Multiple Office Uses) & LB-S (Multiple Business Uses - TWO PHASE)

**PETITIONER:**

James H. Hodges

**SCALE:** 1" represents 200'

**STAFF:** Hughes

**GMA:** 3

**ACRE(S):** 1.54

**MAP(S):** 600846

October 18, 2000

James H. Hodges  
113 Thomas St.  
Winston-Salem, NC 27101

RE: ZONING MAP AMENDMENT W-2431

Dear Mr. Hodges:

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  
Martin Cagle, 6325 Robinhood Road, Pfafftown, NC 27040  
Joe Kipperman, 4718 Eastwin Drive, Winston-Salem, NC 27104

**ACTION REQUEST FORM**

**DATE:** October 25, 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 James H. Hodges

**SUMMARY OF INFORMATION:**

Zoning map amendment of James H. Hodges from LO-S (Offices, Miscellaneous; Professional Office; Banking and Financial Services; Medical and Surgical Offices; and Medical or Dental Laboratories) and LB-S [Arts and Crafts Studio; 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; Funeral Home; Medical and Surgical Offices; Offices, Miscellaneous; Professional Offices; Services, Business A; Services, Personal; Recreation Services, Indoor; Recreation Facility, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Library, Public; Limited Campus Uses; and Museum or Art Gallery - TWO PHASE] to LB-S [Medical and Surgical Offices; Professional Office; Offices, Miscellaneous; Arts and Crafts Studio; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Government Offices; Library, Public; Museum or Art Gallery; Neighborhood Organization; Broadcast Studio; Motor Vehicle, Rental and Leasing; and Services, Personal]: property is located on the southwest corner of Jonestown Road and Eastwin Drive (Zoning Docket W-2431).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of James H. Hodges, Docket W-2431

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 LO-S (Offices, Miscellaneous; Professional Office; Banking and Financial Services; Medical and Surgical Offices; and Medical or Dental Laboratories) and LB-S [Arts and Crafts Studio; 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; Funeral Home; Medical and Surgical Offices; Offices, Miscellaneous; Professional Offices; Services, Business A; Services, Personal; Recreation Services, Indoor; Recreation Facility, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Library, Public; Limited Campus Uses; and Museum or Art Gallery - TWO PHASE) to LB-S [Medical and Surgical Offices; Professional Office; Offices, Miscellaneous; Arts and Crafts Studio; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Banking and Financial Services;

Government Offices; Library, Public; Museum or Art Gallery; Neighborhood Organization; Broadcast Studio; Motor Vehicle, Rental and Leasing; and Services, Personal] the zoning

classification of the following described property:

BEGINNING at a point at the southwest corner of Jonestown Road, go north 54° 47' 19" west 199.98 feet to an iron, thence north 55° 12' 22" west 39.09 feet to an iron, thence north 55° 12' 22" west 39.09 feet to an iron, thence north 70° 29' 54" west 138.13 feet to an iron, thence north 24° 19' 56" east 170.87 feet to an iron at Eastwin Drive, thence south 65° 45' 45" east 138.02 feet to an existing iron, thence south 64° 27' 46" east 241.92 feet to an iron at the corner of Eastwin Drive and Jonestown Road, thence south 26° 11' 18" west 100.09 feet to an iron, thence south 32° 28' 57" west 99.98 feet to the original point of origin.

Section 2. This Ordinance is adopted after approval of the site plan entitled Jonestown Properties and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to James H. Hodges.

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 Jonestown Properties. 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 James H. Hodges, (Zoning Docket W-2431). 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 [Medical and Surgical Offices; Professional Office; Offices, Miscellaneous; Arts and Crafts Studio; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Government Offices; Library, Public; Museum or Art Gallery; Neighborhood Organization; Broadcast Studio; Motor Vehicle, Rental and Leasing; and Services, Personal]": property is located on the southwest corner of Jonestown Road and Eastwin Drive (Zoning Docket W-2431), approved by the Winston-Salem Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_" 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:

- **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.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. Fire hydrants, if required, shall be installed in accordance with the City Fire Department and a letter must be submitted from the Fire Department stating that fire hydrant locations have been established.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Developer shall install a sidewalk along the frontage on Jonestown Road to the specifications of the Public Works Department of the City of Winston-Salem prior to the issuance of occupancy permits. Any easements or right-of-way needed by the City for the sidewalk shall also be dedicated.
  - c. Developer shall install landscaping in accordance with UDO Section 3-4.
  - d. A fence option type II bufferyard shall be installed adjacent to lots 66, 67 and 68 as shown on the site plan. The opaque fence shall be eight feet in height.
  - e. Site lighting shall be located on the site side of required buffering and oriented toward the building. Fixtures will be placed a minimum of 100 feet apart and will be no higher than 25 feet above grade. Mercury lamps (metal halide types will not be permitted) with a maximum output of 7,500 lumens per light will be utilized.
  
- **OTHER REQUIREMENTS**
  - a. Only one freestanding sign shall be permitted on this property. Said sign shall be a monument type with a maximum height of five (5) feet.

## ZONING STAFF REPORT

**DOCKET #** W-2431  
**STAFF:** Suzanne Hughes

Petitioner(s): James H. Hodges  
Ownership: Same

### REQUEST

From: LO-S Limited Office District (Offices, Miscellaneous; Professional Office; Banking and Financial Services; Medical and Surgical Offices; and Medical or Dental Laboratories) and LB-S Limited Business District [Arts and Crafts Studio; 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; Funeral Home; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Personal; Recreation Services, Indoor; Recreation Facility, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Library, Public; Limited Campus Uses; and Museum or Art Gallery - TWO PHASE]

To: LB-S Limited Business District [Medical and Surgical Offices; Professional Office; Offices, Miscellaneous; ABC Store (liquor); Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Recreation Services, Indoor; Recreation Facility, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Library, Public; Limited Campus Uses; Museum or Art Gallery; Neighborhood Organization; Police or Fire Station; School, Vocational or Professional; Broadcast Studio; Park and Shuttle Lot; Parking, Commercial; Utilities; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Services, Business A; Services, Business B; and Services, Personal]

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

Acreage: 1.54 acres



## **LOCATION**

Street: On the West side of Jonestown Road and south side of Eastwin Drive.

Jurisdiction: City of Winston-Salem.

Ward: West.

## **SITE PLAN**

Proposed Use: Multiple retail, office and business uses.

Square Footage: 4,550 square feet.

Building Height: 28 feet.

Parking: Required: 53; proposed: 75

Bufferyard Requirements: Type II bufferyard required adjoining RS-9 zoned properties.

## **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: None; LB-S portion of site is covered with low vegetation, while the LO-S portion has a moderate cover of vegetation, including some trees.

Adjacent Uses:

North - Across Eastwin Drive are two single family homes zoned RS-9 and currently advertised for sale as commercial property.

Northeast - Across Jonestown Road and north of Frandell Road is Summit Square Shopping Center zoned LB-S.

East and Southeast - Across Jonestown Road is Boston Market zoned LB-S and Central Carolina Bank which is an outparcel of Centre Stage Shopping Center, zoned HB-S.

Southwest and West - Single family residential development zoned RS-9.

## **GENERAL AREA**

Character/Maintenance: Transition from well maintained single family homes to business uses fronting Jonestown Road.

Development Pace: Moderate.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Site is a vacant lot.

Topography: Front portion of property(southeast) facing Jonestown Road is somewhat flat; rear portion of property slopes up and then down to the northwest.

Vegetation/habitat: Site is a vacant lot.

Constraints: Minor.

## **TRANSPORTATION**

Direct Access to Site: Jonestown Road; Eastwin Drive.

Street Classification: Jonestown Road - minor thoroughfare; Eastwin Drive - collector street.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Jonestown Road - US 421 to Country Club Road - 16,400/27,000 (1995).

Trip Generation/Existing Zoning: LO-S/LB-S Medical/Dental Office

18,200 sf/1,000 sf = 18.2 x 265.21 (trip rate - bank with drive-through) = 4,827 trips

Trip Generation/Proposed Zoning: LB-S Multiple Business Uses

18,200 sf/1,000 sf = 18.2 x 265.21 (trip rate - bank with drive-through) = 4,827 trips

Transit: WSTA - Westside Connector along Jonestown Road.

## **HISTORY**

Relevant Zoning Cases:

1. W-2378; RS-9 to LB-S (General Merchandise Store); approved April 3, 2000; west side of Jonestown Road between Randall Street and Southwin Drive; 1.28 acres; Planning Board and staff recommended approval.
2. W-2036; RS-9 and LO-S to LB-S (Multiple business uses); approved March 25, 1996; current site; 1.93 acres; Planning Board and staff recommended approval.
3. W-2033; HB-S to HB-S (Recreation Services, Indoor); approved February 19, 1996; southwest corner of Country Club Road and Ryandale Road; 6.01 acres; Planning Board and staff recommended approval.

## **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): Development of activity nodes at planned locations, preservation of stable residential areas, separation and buffering of commercial, office, and industrial uses from residential areas.

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

Relevant Development Guide Recommendation(s): Designated commercial transitional properties; rezoning to be by use of special use district zoning to a depth of two lots (developing as one unified site) off Jonestown Road (up to 450 feet); corner properties to access side streets within 200 feet of Jonestown Road.

## **ANALYSIS**

This site lies within the boundaries of the *Country Club/Jonestown Area Plan*. The area plan has specific recommendations relating to land uses and site design. The requirements addressing parking, access limitations, plantings, buffering, height and lighting requirements are addressed in the site plan and conditions.

Staff had some concern about the potential impact on nearby residential areas resulting from some of the proposed uses such as; motor vehicle repair and maintenance, Services Business B (with outdoor storage), or indoor recreation services. The petitioner has agreed to eliminate some of his proposed uses. A new proposed uses list is to be turned in to the City-County Planning Board.

The site is in Growth Management Plan Area 3 as shown in *Vision 2005*. The plan recommends the separation and buffering of office, commercial, and industrial uses from residential areas, and the *Country Club/Jonestown Area Plan* has specific recommendations to help insure sufficient buffering is provided.

Staff believes the revised list of uses requested in this petition are consistent with the comprehensive plan and the adopted area plan and, with the proposed site plan conditions, the site plan will also be consistent with the area plan.

## **FINDINGS**

1. The revised uses are consistent with the comprehensive plan and the *Country Club/Jonestown Area Plan*.
2. The site plan, with the attached conditions, is consistent with the *Country Club/Jonestown Area Plan*.

## **STAFF RECOMMENDATION**

Zoning: **APPROVAL**, with the deletion of the following uses: Outdoor Display Retail; Motor Vehicle, Repair and Maintenance; and Services, Business B.

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

- **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.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. Fire hydrants, if required, shall be installed in accordance with the City Fire Department and a letter must be submitted from the Fire Department stating that fire hydrant locations have been established.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Developer shall install a sidewalk along the frontage on Jonestown Road to the specifications of the Public Works Department of the City of Winston-Salem prior to the issuance of occupancy permits. Any easements or right-of-way needed by the City for the sidewalk shall also be dedicated.
  - c. Developer shall install landscaping in accordance with UDO Section 3-4.
  - d. A fence option type II bufferyard shall be installed adjacent to lots 66, 67 and 68 as shown on the site plan.
  - e. Site lighting shall be located on the site side of required buffering and oriented toward the building. Fixtures will be placed a minimum of 100 feet apart and will be no higher than 25 feet above grade. Mercury lamps (metal halide types will not be permitted) with a maximum output of 7,500 lumens per light will be utilized.
  
- **OTHER REQUIREMENTS**
  - a. Only one freestanding sign shall be permitted on this property. Said sign shall be a monument type with a maximum height of five (5) feet.

*[For information purposes only: The draft Legacy plan indicates that the site is located in the Suburban Neighborhoods Area of the MSA (Metropolitan Statistical Area) where much of future residential, commercial and industrial development should occur (p. 19).]*

### **PUBLIC HEARING**

Staff noted that staff had received correspondence from the applicant in which the number of requested uses was reduced.

FOR: None

AGAINST: None

## **WORK SESSION**

MOTION: Norman Williams moved approval of the zoning map amendment, limiting the uses to Medical and Surgical Offices; Professional Office; Offices, Miscellaneous; Arts and Crafts Studio; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Government Offices; Library, Public; Museum or Art Gallery; Neighborhood Organization; Broadcast Studio; Motor Vehicle, Rental and Leasing; and Services, Personal. The six-foot high opaque wooden fence will be changed to an eight-foot high opaque wooden fence.

SECOND: Steve Johnson

VOTE:

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

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Norman Williams certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Steve Johnson

VOTE:

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

AGAINST: None

EXCUSED: None

---

A. Paul Norby, AICP  
Director of Planning