



**DOCKET #:** F1353

**PROPOSED ZONING:**  
LB-S (Food and Drug Store)

**EXISTING ZONING:**  
RS20 and LB-S  
(Food and Drug Store)

**PETITIONER:**  
C. L. Fair and  
Genovese Drug Stores, Inc.

**SCALE:** 1" represents 200'

**STAFF:** Hughes

**GMA:** 3

**ACRE(S):** 2.64

**MAP(S):** 660882



January 23, 2002

C. L. Fair, Genovese Drug Stores, Inc.  
c/o JDH Capital, LLC  
Attn: Jim Fagan  
P. O. Box 19868  
Charlotte, NC 28219

RE: ZONING MAP AMENDMENT F-1353

Dear Mr. Fagan:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners.

When the rezoning is scheduled for public hearing, you will be notified by Jane Cole, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, AICP  
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

**MEETING DATE:** \_\_\_\_\_ **AGENDA ITEM NUMBER:**

**SUBJECT:-**

Zoning map amendment of C. L. Fair and Genovese Drug Stores, Inc., a subsidiary of Eckerd Corporation

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-**

**SUMMARY OF INFORMATION:-**

Zoning map amendment of C. L. Fair and Genovese Drug Stores, Inc., a subsidiary of Eckerd Corporation from LB-S (Food or Drug Store) and RS-20 to LB-S (Food or Drug Store): property is located at the northeast corner of NC Hwy 66 (Old Hollow Road) and Main Street (Walkertown) (Zoning Docket F-1353).

After consideration, the Planning Board recommended approval of the rezoning petition.

**ATTACHMENTS:-**     YES             NO

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

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COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of C. L. Fair and Genovese Drug Stores, Inc., a subsidiary of Eckerd Corporation,  
Docket F-1353

AN ORDINANCE AMENDING  
THE FORSYTH COUNTY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE COUNTY OF FORSYTH,  
NORTH CAROLINA

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BE IT ORDAINED by the Board of County Commissioners of the County of Forsyth as follows:

Section 1. The Zoning Ordinance of the *Unified Development Ordinances* of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from LB-S (Food or Drug Store) and RS-20 to LB-S (Food or Drug Store) the zoning classification of the following described property:

Tax Block 2153, Tax Lots 1-9, 10a, 10b, 11-17, 58-63, 64a, 64b, 65-68

Section 2. This Ordinance is adopted after approval of the site plan entitled Eckerd, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to C. L. Fair and Genovese Drug Stores, Inc., a subsidiary of Eckerd Corporation.

Section 3. The Board of Commissioners 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 Eckerd. 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.

COUNTY, SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the Forsyth County  
Board of Commissioners

The Forsyth County Board of Commissioners issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of C. L. Fair and Genovese Drug Stores, Inc., a subsidiary of Eckerd Corporation (Zoning Docket F-1353). 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 (Food or Drug Store), approved by the Forsyth County Board of Commissioners 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* of the County Code, the Erosion Control Ordinance, and other applicable laws, and the following 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.
  - b. Developer shall obtain a driveway permit from NCDOT. Additional conditions may be required by NCDOT.
  
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. Developer shall have a septic system permit approved by the Forsyth County Health Department.
  - b. On site fire hydrant locations shall be approved by the County Fire Department in writing to the Inspections Division.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. All required storm water management devices shall be installed.
  - b. All required fire hydrants shall be installed in accordance with the Forsyth County Fire Department.

## **ZONING STAFF REPORT**

**DOCKET #** F-1353  
**STAFF:** Suzy Hughes

Petitioner(s): C. L. Fair and Genovese Drug Stores, Inc.  
Ownership: Same

### **REQUEST**

From: LB-S Limited Business District (Food or Drug Store) and RS-20 Residential Single Family District; minimum lot size 20,000 sf  
To: LB-S Limited Business District (Food or Drug Store)

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

Acreage: 2.64 acres

### **LOCATION**

Street: Northeast corner of NC Hwy 66 (Old Hollow Road) and Main Street (Walkertown).  
Jurisdiction: Forsyth County.

### **SITE PLAN**

Proposed Use: Food or drug store.  
Square Footage: 14,460 square feet.  
Building Height: 34 feet 8 inches (single story).  
Parking: Required: 74; proposed: 85.  
Bufferyard Requirements: Type III along residential zoned property.  
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Single family residential building, multifamily residential structure, and two small commercial structures - all to be removed.

Adjacent Uses:

North -	Public Library and school, zoned IP
East -	Gun Shop, zoned HB-S
South -	Shopping Center and Hardee's restaurant, zoned HB-S
West -	Mickey's Restaurant, zoned HB

## **GENERAL AREA**

Character/Maintenance: Moderate to well-maintained commercial uses.

Development Pace: Slow.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Existing Buildings to be removed, site to be graded.

Topography: Slopes down from the southwest to the northeast.

Vegetation/habitat: Very little vegetation.

Watershed: This site is not within the boundaries of a water supply watershed.

## **TRANSPORTATION**

Direct Access to Site: Main Street; Old Hollow Road; Ruxton Drive.

Street Classification: Main Street - major thoroughfare; Old Hollow Road - major thoroughfare; Ruxton Drive - local road.

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

Main Street between Old Hollow Road and Harley Drive = 9,700/16,100

Old Hollow Road between Main Street and Darrow Road = 17,000/18,500

Trip Generation/Existing Zoning: LB-S and RS-20

$10,980/1,000 \times 88.16$  (Pharmacy with Drive-Through) = 967 trips per day +  $0.725 \times$

$43,560 / 20,000 = 1$  unit  $\times 9.57$  (SFR Trip Rate) = 9 trips per day = 976 trips per day TOTAL

Trip Generation/Proposed Zoning: LB-S

$14,660/1,000 \times 88.16$  (Pharmacy with Drive Thru) = 1,292 trips per day

Bike: Route 18 - Walkertown Connector, along Main Street; Route 25 - Kernersville Lake Park Connector, along Ruxton Drive, along the north side of the site.

## **HISTORY**

Relevant Zoning Cases:

1. F-1289; HB-S and RS-20 to LB-S (Food and Drug Store); approved April 24, 2000; western portion of current site; 1.97 acres; Planning Board and staff recommended approval.
2. F-1278; HB-S (Multiple Business Uses) and RS-20 to LB-S (Multiple Business Uses); northeast corner of intersection of NC 66 and Main Street (portion of current site); 1.97 acres; Withdrawn December 9, 1999.
3. F-1211; RS-20 to PB-S (Motor Vehicle, Repair and Maintenance); approved February 9, 1999; southeast corner of Friendly Avenue and US 311; 0.34 acre; Planning Board and staff recommended approval.



4. F-1154; RS-20 to LB; approved July 8, 1996; west side of Main Street north of intersection with Old Hollow Road/NC 66 and northwest of current site; 0.61 acre; Planning Board and staff recommended approval.

### **CONFORMITY TO PLANS**

GMP Area (*Legacy*): Suburban Neighborhoods Growth Management Area. Site directly abuts Walkertown's Town Center Growth Management area to the north.

Relevant Comprehensive Plan Recommendation(s): Create mixed use pedestrian friendly commercial areas. Concentrate the highest densities and mixed use development in City/Town Centers, at Metro Activity Centers, and along Urban Boulevards.

Area Plan/Development Guide: The site is not within the boundaries of a development guide or an area plan.

### **HISTORIC RESOURCES REVIEW:**

Comments: While there are no inventoried properties on the site, there are structures of pre-1950 construction, including a 2-story ca. 1920s Foursquare style structure with alterations. Additionally there exists ca. 1940s English Cottage Revival style structures with intact integrity.

### **INCORPORATED AREA COMMENTS**

Incorporated Jurisdiction: Town of Walkertown.

Expressed Concern: The town expressed no concern as they were supportive of the previous request on this site.

### **ANALYSIS**

The request is to rezone 2.64 acres from LB-S (Food and Drug Store) and RS-20 to LB-S (Food and Drug Store). A portion of the site was approved for a Food and Drug Store in April 2000. The current request is an expansion of square footage of the original building and also an addition of more property. The site plan is consistent with the previously approved site plan with regards to pedestrian connections and road improvements.

The site is consistent with *Legacy's* recommendation to create mixed use, pedestrian friendly commercial areas. The site plan addresses these recommendations with pedestrian walkways, and is located in a predominantly commercial area. The Town of Walkertown has expressed they have no concerns with the proposed rezoning.

### **FINDINGS**

1. A portion of the site was approved for a Food and Drug Store in April 2000.

2. The site plan is consistent with the previously approved site plan.
3. The site is consistent with *Legacy's* recommendation to create mixed use, pedestrian friendly commercial areas.
4. The Town of Walkertown has expressed they have no concerns with the proposed rezoning.

### **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

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. Developer shall have a septic system permit approved by the Forsyth County Health Department.
  - b. On site fire hydrant locations shall be approved by the County Fire Department in writing to the Inspections Division.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. All required storm water management devices shall be installed.
  - b. Developer shall obtain a driveway permit from NCDOT. Additional conditions may be required by NCDOT.
  - c. All required fire hydrants shall be installed in accordance with the Forsyth County Fire Department.
- **OTHER REQUIREMENTS**
  - a. One free-standing ground sign shall be permitted on Old Hollow Road/NC 66 and one free-standing ground sign shall be permitted on Main Street. Said signs shall be limited to a monument type with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.
  - b. No storage trailers for storage of merchandise or retail sales purposes shall be permitted on the site.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION:**

MOTION: Philip Doyle moved approval of the zoning petition.

SECOND: Terry Powell

VOTE:

FOR: Avant, Bost, Clark, Doyle, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

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

SECOND: Terry Powell

VOTE:

FOR: Avant, Bost, Clark, Doyle, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Genovese Drug Stores, Inc. and C. L. Fair as of December 4, 2001.

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A. Paul Norby, AICP  
Director of Planning