

**Town of Jamestown Planning Board
Zoning Staff Report
February 16, 2010**

The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Plan Review process to address subdivision and development regulations.

Item: 2010-01

Location: 301-303 W. Main St.

Applicant: Ragsdale Brothers, LLC; 404 E. Main St., Jamestown, NC 27282

Owner: Same - Contact: George Ragsdale - 336-880-8525

From: MS - Main Street

To: CZ-C/MST - Conditional Zoning - Commercial/Main Street Transitional. The applicant has voluntarily included the following conditions:

- 1) Restaurant will be built with a brick veneer exterior
- 2) A hedge with a minimum height of 2 feet will screen the drive thru from the Main St. view.
- 3) Brick sidewalk will be placed on the road frontage at Main St.

Conditions Proposed by Applicant:

- 1) Restaurant will be built with a brick veneer exterior
- 2) A hedge with a minimum height of 2 feet will screen the drive thru from the Main St. view.
- 3) Brick sidewalk will be placed on the road frontage at Main St.

SITE INFORMATION	
Maximum Developable Units	N/A
Net Density	8 units/acre
Existing Land Use	Vacant/Forested
Acreage	3.7 +/- acres total
Physical Characteristics	<i>Topography:</i> Generally flat near Main St., gently sloping in rear. <i>Vegetation:</i> Some open, majority forested <i>Other:</i> N/A
Overlay Districts	Oakdale General Watershed
Historic District/Resources	Jamestown NRHD, contributing structure
Generalized Future Land Use	Town Center
Other	N/A

Location	Land Use	Zoning
<i>North</i>	Residential	C/MST
<i>South</i>	Residential	SFR
<i>East</i>	Residential	MS
<i>West</i>	Residential	C/MST

SURROUNDING ZONING AND LAND USE

ZONING HISTORY

Case #	Year	Request Summary
	2009	Area was subject to town-wide rezoning as a result of the adoption of the new Land Development Ordinance.

DIFFERENCES BETWEEN AG (EXISTING) AND PI (PROPOSED) ZONING DISTRICTS

The Main Street District (MS) provides for new development, revitalization, reuse, and infill development in Jamestown’s traditional downtown. A broad array of uses is permitted to enable the needs of residents and visitors to be met. Allowed building/lot types in this district are Urban Workplace, Shopfront, Detached House and Civic Building. The development pattern seeks to integrate shops, restaurants, services, work places, civic, educational, and religious facilities, and higher density housing in a compact, pedestrian-oriented environment. The Main Street District serves as the hub of the surrounding neighborhoods and of the broader community. The Main Street District may be expanded over time to meet the needs of the growing community for downtown facilities and services.

The Commercial/Main Street Transitional District (C/MST) is established to accommodate existing and proposed uses located along that portion of West Main Street located to the west of the downtown between Dillon Road and Scientific Street. Development in this district accommodates a range of uses in a single-family home style development pattern, transitioning from the Main Street Districts to residential districts and commercial districts. Allowed building/lot types are Single Family Detached and Civic Building. Standards in the Commercial/Main Street Transitional District are established to encourage new development, revitalization, reuse, and infill development in a manner that accommodates a range of uses while preserving historic development patterns and being sensitive to the adjacent districts. A range of uses, including retail, office, and residential, is permitted.

TRANSPORTATION

Street Classification	W. Main St. – Major Thoroughfare
Site Access	W. Main St.
Traffic Counts	Per 2007 High Point MPO Traffic Survey (most recent data), approx. 15,617 vehicles at Dillon Rd./Main St. intersection (approx. 700 ft. East of site).
Trip Generation	Unavailable
Sidewalks	None on site currently, installation of brick sidewalks along frontage of Main St. will be required per LDO.
Transit	N/A
Traffic Impact Study	None required.

Street Connectivity	Main Street is a major thoroughfare. Applicant plans to construct a private street that will access a proposed 2-lot commercial subdivision, with a proposed restaurant w/ drive thru on one lot and "Future Construction" on the other.
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Other	N/A
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ENVIRONMENTAL REVIEW	
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Water Supply Watershed	Yes, Oakdale GWA
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Floodplains	Nearest floodplain areas are just off-site (approx. 100') to the South of the property.
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Streams	N/A
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Other	
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LANDSCAPING REQUIREMENTS	
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Location	Required Planting Yard Type and Rate
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<i>North</i>	None required - applicant conditions call for 2' high screen
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<i>South</i>	None required
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<i>East</i>	None required - suggest adding condition for Type D yard.
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<i>West</i>	None required - suggest adding condition for Type C yard.
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COMPREHENSIVE PLAN POLICIES	
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Comprehensive Plan Written Policies:

2007 Land Development Plan:

The area requested for rezoning lies within the following map classifications:

Existing: MS

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Proposed: CZ-C/MST

The Commercial/Main Street Transitional District (C/MST) is established to accommodate existing and proposed uses located along that portion of West Main Street located to the west of the downtown between Dillon Road and Scientific Street. Development in this district accommodates a range of uses in a single-family home style development pattern, transitioning from the Main Street Districts to residential districts and commercial districts. Allowed building/lot types are Single Family Detached and Civic Building. Standards in the Commercial/Main Street Transitional District are established to encourage new development,

revitalization, reuse, and infill development in a manner that accommodates a range of uses while preserving historic development patterns and being sensitive to the adjacent districts. A range of uses, including retail, office, and residential, is permitted.

2020 Land Development Plan Policies:

The Zoning Ordinance is the principal means by which the Land Development Plan is carried out. In the past zoning has often been instituted before there was a plan. It is now recognized that zoning is a tool for carrying out a plan and that zoning not based on a plan is not valid. The Land Development Plan outlines land use objectives to be attained over a substantial period of time. It indicates uses expected to be desirable in the future for the Jamestown Planning Area. Zoning, on the other hand, establishes land use controls which are based on the plan but also reflect current conditions.

The Land Development Plan is intended to provide a flexible guide for the future development of the Jamestown Planning Area. The Plan is flexible since it is not possible to foresee all circumstances which will affect future growth. Therefore, it may be necessary to modify the goals and objectives of the Land Development Plan. In addition to this, the scope of this plan provides for only a certain level of planning. When actual projects are undertaken, it will be necessary to provide a more detailed evaluation, particularly in the view of time intervals involved.

2020 Land Development Plan Written Policies:

The following 2020 LDP Policies may have some impact on the proposed site:

Growth Management Policies:

- 1.1 Revitalize Downtown Jamestown to be the center of community life and to provide opportunities for development of new retail, office, and community service uses.
- 1.2 Rejuvenate and beautify Main Street to create a more inviting and pedestrian-friendly atmosphere with a wider variety of services and retail uses.
- 1.3 Encourage property owners to improve commercial building facades and attract new businesses in the downtown area.
- 1.4 Carefully manage land development patterns along existing and planned major roads to maintain their safety and function and create welcoming, aesthetically pleasing entranceways that reflect our small-town character.
- 1.7 Encourage the development of new commercial uses within designated activity centers to be energy efficient, aesthetically pleasing, and pedestrian-friendly and the renovation, maintenance and creative re-use of existing commercial buildings to provide more retail, business, and office uses in convenient locations.
- 1.15 Carefully balance individual property rights with the good of the whole community by expecting new development to use the best design features of our favorite existing areas and by providing adequate buffers between incompatible uses.

Planning Coordination:

N/A

Community Appearance Policies:

- 3.2 Create a downtown "village" feel along Main Street that enhances our community character and is used as a selling point to attract entrepreneurs and visitors to our community.
- 3.3 Maintain a strong sense of place and community pride as each new land use fits into our vision for the future – adding quality and value and enhancing our community character and quality of life.
- 3.4 Carefully consider the appearance and design of new buildings and site development, to insure a good fit, and to maintain and improve the appearance of our community, and to create a greater sense of harmony and compatibility among various uses throughout our community.

Quality of Life Policies:

- 4.1 Carefully preserve Jamestown's numerous natural, cultural, and historic resources as the cornerstone of its identity- including preservation of the Old School, Mendenhall Plantation, and other important properties.
- 4.8 Preserve , protect, and creatively re-use our historic buildings and properties to enhance our community's civic assets.

2020 Land Development Plan Map Policies:

The area requested for rezoning lies within the following map classifications:

Commercial - Areas designated to accommodate existing commercial and office uses, and limited new commercial and office development outside of designated Activity Centers. most existing uses are located along major roads and intersections. Intended to minimize the expansion of commercial strip development by encouraging new retail uses to locate within mixed-use activity centers.

APPLICANT STATED REASONS FOR REQUEST

Explain in detail why the change is needed and a justification for such a change:

January 26, 2010

Town Leaders and Administration,

On behalf of Ragsdale Brothers, LLC and Bojangles' Restaurants, Inc, we would like to apply for a zoning change to the property located at 301-303 W. Main St. in Jamestown. The current zoning is MS and we ask that it be rezoned to C/MST, the current zoning of

the properties to the West and North across Main Street. This change will allow for the construction of a new Bojangles Restaurant with a Drive Thru window.

In keeping with the spirit and historical significance of Jamestown, careful attention will be given to architectural detail, landscaping, sidewalk and keeping the parking in the rear of the property. This restaurant will not only compliment the adjacent properties but will provide the citizens of Jamestown and the surrounding area with another dining option and more reason to spend their money in Jamestown. The new use will also add to the town's tax base.

We look forward to many more years of smart growth in Jamestown and working together with you on the project. Please do not hesitate to contact me with any questions or concerns you may have about this project.

I thank you for your consideration.

Always,
George Wrenn Ragsdale

Explain in detail the conditions that you think may warrant a Plan Amendment (i.e. unforeseen circumstances or the emergence of new information, unanticipated changes in development pattern, rezonings, transportation improvements, economic opportunities, changes in socioeconomic conditions, etc.):

N/A – not addressed by applicant in letter; applicant may address this at hearing.

CONFORMITY WITH OTHER PLANS

The following aspects of relevant plans may be applicable in this case:

Town Plans: N/A

Other Plans: N/A

STAFF COMMENTS

Planning:

This property is currently located within the "Primary Growth" Area (meaning it currently has water/sewer available at or near the property) on the Growth Strategy map in the Comprehensive Plan. This site is currently vacant and is mostly forested. The site is also home to the "Potter Log House", which is a contributing structure in Jamestown's NRHD designation. This site is currently located within the "Commercial" district of the Future Land Use Map, which was speculative at the time the Comp Plan was developed.

The property is currently zoned MS (Main Street) and could be subdivided and developed as such, without going through a public process. However, the applicant wishes to rezone the property to allow for the construction of a restaurant with a drive-thru window, which is not permitted in the MS district.

Public Services:

Public Services will work with applicant to locate appropriate places for water/sewer connections and installation of easements for public connections to water/sewer through this site and to allow flexibility for additional future connections in this area.

STAFF RECOMMENDATION

The mission of the Planning Department is to provide education, information, recommendation, and leadership products to citizens of Jamestown so they can enjoy a quality of life enriched by choices in housing and transportation, efficient use of public infrastructure, distinctive community character, and a robust civic life.

The subject property is currently primarily vacant land. The former "Potter Log House", burned some years ago, remains on the property. This structure is a contributing structure for the town's National Register Historic District, established in the early 1980's. As there is not a "local historic district" designation in Jamestown, there are no guidelines for the preservation or reconstruction of buildings in this district. It is likely that this structure has been altered over time and, as a result of fire and subsequent neglect, has been substantially impacted to the point that it likely no longer contributes to the NRHD in any true capacity. The owners of this property are under no obligation to rebuild or restore the current structure.

The current applicant, Mr. George Ragsdale of Ragsdale Bros., LLC., submitted a request for rezoning following a neighborhood meeting - which was held on February 22, 2010. Approximately 40 citizens showed up for this meeting, which was held at the Jamestown Town Hall Civic Center. Many of the residents were concerned about the appearance of the proposed project, potential traffic impacts, the history of the Potter House, and buffers for noise and appearance. Planning Board, Council, and staff MAY consider appearance standards, building materials, amenities such as sidewalks, open spaces, and other features which may enhance the proposed development.

The applicant has determined that the C/MST zoning district would allow him the flexibility to construct the product that he desires. Adding the "CZ" or Conditional Zoning designation will allow for conditions to be placed on the rezoning to ensure that the project conforms to the desires of the community and meets the goals laid out in the 2020 Comprehensive Land Development Plan. Currently, the applicant is proposing 3 conditions be placed upon the rezoning - 1) Brick veneer exterior for the building; 2) A 2 ft. hedge to screen the drive thru from Main St. view; 3) Brick sidewalk extended along road frontage on Main St.

Planning staff believes that this is a good beginning. However, there are still some concerns that the proposed development may not meet the goals of the Comprehensive Plan regarding appearance and "community fit". Public input at the informational meeting centered around the appearance of the project and the historic "feel" that everyone desires. Additionally, questions arose regarding traffic impacts (particularly how traffic conflicts with the school traffic would be resolved), "orange" awnings and

signs, and the need for buffers with adjacent properties. It will be the mission of Planning Board, Town Council, Jamestown residents, and the applicant to find an appropriate compromise which will preserve community appearance and feel while accommodating a commercial use that is viable for the applicant. The mission of the Planning Department is to provide guidance during this process.

Staff feels that this parcel of land - given its location along a major thoroughfare - would be appropriate for a commercial use. Commercial uses currently extend along this side of Main Street on either side of the subject parcel. However, given this parcel's historic nature, the desire of the community to preserve or enhance our small-town and historic qualities, and the desire for aesthetically pleasing construction - staff recommends that Planning Board and Town Council carefully consider the addition of strict zoning conditions on this property. These may include, but are not limited to:

- 1) The applicant shall perform a study to determine compatibility of the site with existing traffic conditions to ensure that traffic conflicts will be kept to a minimum. Turn lanes or other appropriate solutions shall be incorporated if traffic report and/or NCDOT indicate that they are necessary.
- 2) Architectural standards must compliment the Town's Quaker history, paying homage to the character of Jamestown. The building should be primarily brick. Architectural features and fenestration must compliment existing historic structures in Jamestown, and shall incorporate the spirit of the Potter Log House in its design. Where applicable, materials from the existing Potter Log House shall be salvaged and reused in the construction of the new restaurant and signage.
- 3) Signage shall conform to existing sign regulations, but shall utilize muted colors (corporate logos shall be muted color versions), and sign frames and encasements shall match the historic architectural theme. Plans for the signage shall be included in the TRC submittal package with architectural elevations. No flags shall be placed on the property other than one US flag and/or one state flag. Awnings and incidental signage shall be in muted "earth" tones. As orange is one of Bojangles' signature colors, it may be used sparingly in accents on the building, but shall not be the dominant color of any particular feature on the building.
- 4) Architectural elevations (full-color renderings of each of the building's elevations) shall be submitted to TRC for review and compliance with zoning conditions at site plan review. Plans and elevations shall show materials, colors, etc. - and how the building shall reuse materials from the existing Potter House in its construction. Additionally, plans and elevations shall show signage details and shall explain how developer will match zoning conditions.
- 5) A garden/hedge wall shall replace the existing brick wall along Main Street. This landscaping feature is one of the key features which distinguishes this property from surrounding properties. This wall shall be reinstalled during construction of the site with a similar (and historically-themed) brick or stone retaining wall. Elevations and renderings of this wall shall be included with the TRC architectural submittal package.

- 6) Cross-connectivity shall be provided between any subdivided lots.
- 7) Developer shall install a 5' wide concrete sidewalk and street lighting along the private drive to enhance connectivity for pedestrians and provide safety lighting along the street. Lights shall be "full-cutoff fixtures" per the Jamestown LDO.
- 8) A Type C Buffer yard shall be installed/maintained along the Western Property Line to further shield residential uses from commercial uses. Developer shall make every effort to retain existing trees/shrubs inside landscape buffer by installing a Tree Conservation Area to prevent impacts to existing trees.
- 9) A Type D Buffer yard shall be installed/maintained along the Eastern property line to provide a minimal buffer between existing commercial uses to the East.
- 10) Uses on this property shall be limited to restaurant with drive-thru window.

From a land-use aspect, staff should remind Planning Board and Council that this is a commercial use that is proposed to be built amongst other commercial uses. That in and of itself conforms to the Comprehensive Plan and seems "logical" and would be grounds for approval of the rezoning request. The applicant has voluntarily agreed to place three zoning conditions on the development - which is a good starting place for achieving a building which is both commercially viable and aesthetically pleasing. As stated before, however, there are many residents with concerns regarding building materials and appearance, as well as how this development will "fit" into the surrounding area. Many references to the "Oak Ridge McDonald's" restaurant have crossed my desk as the "standard" we should strive to achieve in Jamestown. Perhaps it is time that Jamestown has such a signature establishment - whereby the "bar" is raised yet again, and others look to us as the NEW standard.

Therefore, based on all the information contained in this report, the Planning Department recommends approval, but highly encourages the Planning Board, Town Council and residents to request conditions be placed on the rezoning which would help ensure a quality development which would complement the surrounding community and pay homage to the history contained in the Potter Log House.