



DOCKET #: F1493

PROPOSED ZONING:
HB-S

EXISTING ZONING:
AG

PETITIONER:
Alfred L. Scott and Rachel
O. Scott for property
owned by Same

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 4

ACRES: 9.39

**NEAREST
BLDG:** 2' west

MAP(S): 684826

F

January 23, 2008

Alfred Lee Scott and Rachel Scott
108 Mowery Drive
High Point, NC 27265-1144

RE: ZONING MAP AMENDMENT F-1493

Dear Mr. & Mrs. Scott:

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, FAICP
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office
Jim Bryan, 5116 Sedgebrook Road, Kernersville, NC 27284

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Alfred L. Scott and Rachel O. Scott, Docket F-1493

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

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 AG to HB-S (Storage Services, Retail; and Parking, Commercial) the zoning classification of the following described property:

Beginning at the southeastern corner of Lot 49 of Tax Block 5608 on the northern R/W of High Point Road; thence with the line of Lot 49, N.3-48'30"E. 317.47' and N.0-46'50"W. 551.29' to the southern line of Lot 7-E of Tax Block 5614; thence with Lot 7-E, S.85-02'20"E. 346.71' and N.6-05'E. 99.89' to the southwestern corner of Lot 75 of Tax Block 5612; thence with Lot 75, S.77-01'20"E. 253.69'; thence on a new line across Lot 76 of Tax Block 5612 and Lot 50 of Tax Block 5608, S.13-00'50"W. 617.63' to the line of Lot 51 of Tax Block 5608; thence with Lot 51, N.85-19'40"W. 75.99' and S.18-27'30"W. 102.08' to the northwestern corner of Lot 52 of Tax Block 5608; thence with Lot 52, S.18-53'40"W. 99.46' to the northwestern corner of Lot 53 of Tax Block 5608; thence with Lot 53 and continuing with Lot 46 of Tax Block 5608, S.18-53'40"W. 134.57' and S.4-25'50"W. 204.50' to the northern R/W of High Point Road; thence with the northern R/W of High Point Road, N.49-19'W. 149.83' to the southeastern corner of Lot 55 of Tax Block 5608; thence with the line of Lot 55, N.13-40'50"E. 448.26', N.85-16'10"W. 93.66' and S.12-33'50"W. 390.69' to the northern R/W of High Point Road, N.49-31'50"W. 119.26' to the place of beginning and containing 9.39 acres more or less.

The above described property lying in Abbotts Creek Township, Forsyth County, North Carolina is Lots 54, 56, a portion Lot 50 of Tax Block 5608 and a portion Lot 76 of Tax Block 5612. See Deed Book 1920, Page 285; Deed Book 2780, Page 362 and Deed Book 2086, Page 213.

Section 2. This Ordinance is adopted after approval of the site plan entitled Alfred L. Scott, Inc., and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 20____ to Alfred L. Scott and Rachel O. Scott.

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 Alfred L. Scott, Inc. 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 Alfred L. Scott and Rachel O. Scott (Zoning Docket F-1493). 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 HB-S (Storage Services, Retail; and Parking, Commercial), 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 HB-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 obtain a driveway permit from the North Carolina Department of Transportation.
 - b. Developer shall obtain a Watershed Permit from the Erosion Control Officer.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
 - a. Record final plat in the office of the Register of Deeds.
 - b. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lighting shall not produce more than ½ foot candle of light at the property line.
 - c. Existing double-wide manufactured home shall be removed.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Developer shall install all improvements as per driveway permit.
 - b. Certification from a qualified professional must be submitted certifying that the lighting was installed in accordance with the approved plan and the above noted condition.
 - c. Developer shall install or financially guarantee large variety street trees as defined in UDO Section 3-4.10, within street yards, bufferyards and motor vehicle parking areas where no conflict occurs with overhead utility lines.

- **PRIOR TO SIGNING OF FINAL PLAT:**
 - a. Developer shall record a cross access easement to Tax Lot 55 of Block 5608.

- **OTHER REQUIREMENTS:**
 - a. Freestanding signage shall be limited to one sign along High Point Road. Such sign shall be of a monument type with a six (6) foot maximum height and a 36 square foot maximum area.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	F-1493		
Staff	Gary Roberts, AICP		
Petitioner(s)	Alfred L. Scott and Rachel O. Scott		
Owner(s)	Same		
Subject Property	Tax Lots 54, 56, and a portion of 50 / Tax Block 5608 and a portion of Tax Lot 76 / Tax Block 5612		
Type of Request	Special Use rezoning from AG to HB-S		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from AG Agricultural District, 40,000 sf minimum lot size to HB-S Highway Business District. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • (Storage Services, Retail; and Parking, Commercial) 		
Zoning District Purpose Statement	<p>The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. However, the district is not intended to encourage or accommodate strip commercial development. Developments in this district generally have substantial front setbacks. This district is intended for application in Growth Management Areas 2, 3, and 4.</p>		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes		
GENERAL SITE INFORMATION			
Location	North side of High Point Road, west of NC 66		
Jurisdiction	Forsyth County		
Site Acreage	Approximately ± 9.39 acres		
Current Land Use	Currently located on the site are two single family homes.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	GI-S	Vulcan Quarry
	East	AG & HB	Single family homes and small businesses
	South	LI	Volunteer fire department
	West	HB	Self storage units
Applicable Rezoning Consideration	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?		

from Chapter B, Article VI, Section 6-2.1(S)	See comments below in the Analysis of Conformity to Plans and Planning Issues section.			
Physical Characteristics	The majority of the site has been cleared and it has a gentle slope downward toward the southwest.			
Proximity to Water and Sewer	Davidson County water serves the site. No public sewer is available.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	Property is located within the WS-III Abbots Creek Water Supply Watershed.			
Analysis of General Site Information	The site is adequate for the proposed improvements. Due to the proximity to an adjoining rock quarry, the site may be subject to the peripheral impacts of blasting such as noise and limited vibration.			
Generalized Recommended Conditions	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> Obtain watershed permit. 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
High Point Road	Major Thoroughfare	262'	2,200	11,100
Proposed Access Point(s)	The site plan proposes to remove the westernmost driveway onto High Point Road and widen the other existing driveway to provide access to the site.			
Planned Road Improvements	The Thoroughfare Plan recommends High Point Road be improved to a three-lane section with widened outside lanes, curb and gutter and sidewalks.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: AG</u> $9.39 \times 43,560 / 40,000 = 10 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 96 \text{ Trips per Day}$</p> <p><u>Proposed Zoning: HB-S</u> $48,000 / 1,000 \times 2.5 \text{ (Mini-Warehouse Trip Rate)} = 120 \text{ Trips per Day} +$ $1,240 / 1,000 \times 11.57 \text{ (Single Tenant Office Building Trip Rate)} = 15 \text{ Trips per Day} = 135 \text{ Total Trips per Day}$</p>			
Sidewalks	There are no sidewalks located in the general area.			
Traffic Impact Study (TIS)	No TIS is required.			
Analysis of Site Access and Transportation Information	The site currently has two driveways onto High Point Road. The proposed site plan depicts the removal of the westernmost driveway. WSDOT staff requests the right-of-way dedication of 35' from the centerline of High Point Road. The revised site plan includes the recommended cross access connection to the adjacent lot which fronts on High Point Road and adjoins the subject property on three sides.			

Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Driveway permit from NCDOT 					
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA	Growth Management Area 4 - Future Growth Area					
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • Legacy recommends concentrating commercial activity towards identified activity centers. 					
Relevant Area Plan(s)	<i>Union Cross/Southeast Forsyth county Area Plan</i> , adopted 2004					
Area Plan Recommendations	<ul style="list-style-type: none"> • The site is recommended for Rural Conservation Subdivision. It is also located directly northwest of the proposed Community Activity Center at the intersection of NC 66 and High Point Road. 					
Amount of AG land rezoned since 12-31-94	There are three pending cases involving AG zoned land. To date, 2,025.16 acres have been rezoned from AG with a balance of 59,337.05 acres. If F-1490 is approved the balance would be 59,335.08 acres. If F-1492 is approved, it would add 10.14 acres back to the total. If the two previously noted cases and the subject case F-1493 are approved, 2,026.38 acres will have been rezoned from AG with a balance of 59,335.83 acres.					
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?					
	No					
	(S)(4) - Is the requested action in conformance with Legacy?					
	See comments below					
Analysis of Conformity to Plans and Planning Issues	<p>Legacy recommends concentrating commercial activity towards identified activity centers. The subject property is located within the <i>Union Cross/Southeast Forsyth county Area Plan</i>. The site is recommended for Rural Conservation Subdivision; however, it is located directly northwest of the proposed Community Activity Center at the intersection of NC 66 and High Point Road. In addition, the site adjoins GI-S, HB and LI zoned property.</p> <p>Therefore considering the specific context of the site, Planning staff is supportive of the requested HB-S designation.</p>					
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Lighting condition • Large variety tree condition • Sign condition 					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1466	RS-20 to NB-S	Approved 8-14-06	400' east	Approval	Approval	Approval

F-1390	AG to HB-S with SIDA	Denied 9-8-03	Included portion of current site	10	Denial	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	49,240 sf		Various locations			
Parking	Required	Proposed		Layout		
	5 spaces	7 spaces		To the rear of the office building		
Building Height	Maximum			Proposed		
	60'			1 story		
Impervious Coverage	Maximum			Proposed		
	24% of the pre 1-1-95 undeveloped area			41 %		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.3 (I) Highway Business District Chapter C, Article IV, Watershed Protection 					
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:		Yes			
	(B) Environmental Ord.		Yes			
	(C) Subdivision Regulations		NA			
Analysis of Site Plan Compliance with UDO Requirements	The revised site plan complies with the requirements of the UDO.					
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The proposed use shown of the site plan of Storage Services, Retail is generally consistent with and complimentary to the surrounding uses.			The site does not include lot 55 which is adjoined by the subject property on three sides.			
The request maintains the residential integrity of the adjacent properties fronting along NC 66.						
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL						
The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.						
<u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u>						
<ol style="list-style-type: none"> Developer shall obtain a driveway permit from the North Carolina Department of Transportation. Developer shall obtain a Watershed Permit from the Erosion Control Officer. 						

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- a. Record final plat in the office of the Register of Deeds.
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OTHER REQUIREMENTS:

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STAFF RECOMMENDATION: APPROVAL

NOTE: These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **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.**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Arthur King

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

According to information furnished on January 22, 2008 by the Office of the Tax Assessor, the subject property was in the name of Alfred Lee Scott.

A. Paul Norby, FAICP
Director of Planning

