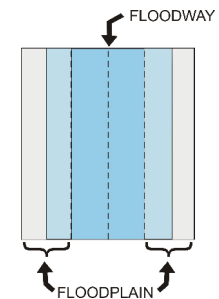


**DOCKET #:** F1499

**PROPOSED ZONING:**  
NO-L

**EXISTING ZONING:**  
RM-12

**PETITIONER:**  
Brownstone I LLC for  
property owned by Same



**SCALE:** 1" represents 200'

**STAFF:** Roberts

**GMA:** 3

**ACRES:** 0.47

**NEAREST BLDG:** 25' east

**MAP(S):** 612906

**F**

May 21, 2008

Brownstone I, LLC  
c/o Bob Parent  
3715 Brownstone Lane  
Winston-Salem, NC 27106

RE: ZONING MAP AMENDMENT F-1499

Dear Mr. Parent:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners. You will be notified by the Board of Commissioners' Office of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, FAICP  
Director of Planning

pc: Jane Cole, Forsyth County Government Center - 5th Floor, 201 N. Chestnut Street,  
Winston-Salem, NC 27101

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

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

**SUBJECT:-**

- A. Public Hearing on Special Use District - No Site Plan for Zoning map amendment of Brownstone I, LLC from RM-12 to NO-L (Residential Building, Single Family; Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; and Non-Store Retailer): property is located on the southeast corner of Bethania-Rural Hall Road and Jackson Street (Zoning Docket F-1499).
- B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, North Carolina.
- C. Approval of Special Use District - No Site Plan Permit

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

**SUMMARY OF INFORMATION:-**

See attached staff report.

After consideration, the Planning Board recommended approval of the special use district - no site plan.

**ATTACHMENTS:-**     YES             NO

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

County Manager

COUNTY ORDINANCE -  
SPECIAL USE DISTRICT - NO SITE PLAN

Zoning Petition of Brownstone I, LLC, Docket F-1499

AN ORDINANCE AMENDING THE  
FORSYTH COUNTY ZONING ORDINANCE  
AND THE OFFICIAL ZONING MAP OF  
FORSYTH COUNTY, N.C.

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

Section 1. The Forsyth County Zoning Ordinance and the Official Zoning Map of the County of Forsyth, N.C. are hereby amended by changing from RM-12 to NO-L Residential Building, Single Family; Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; and Non-Store Retailer the zoning classification of the following described property:

Tax Lot 004, Tax Block 4919

Section 2. This Ordinance is adopted after approval of the Special Use District - No Site Plan Permit issued by the Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ to Brownstone I, LLC.

Section 3. The Board of Commissioners hereby directs the issuance of a Special Use District - No Site Plan Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Brownstone I, LLC. Said Special Use District - No Site Plan Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

COUNTY

SPECIAL USE DISTRICT - NO SITE PLAN PERMIT

Issued by the Board of Commissioners

of Forsyth County, NC

The Board of Commissioners of Forsyth County, NC issues a Special Use District - No Site Plan Permit for the zoning petition of Brownstone I, LLC, (Zoning Docket F-1499). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Residential Building, Single Family; Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; and Non-Store Retailer, 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 NO-L 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:  
There are no additional conditions recommended.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>			
<b>Docket #</b>	F-1499		
<b>Staff</b>	<a href="#">Gary Roberts Jr., AICP</a>		
<b>Petitioner(s)</b>	Brownstone I, LLC		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	Tax Lot 004 / Tax Block 4919		
<b>Type of Request</b>	Special Use Limited – No Site Plan rezoning		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> RM-12 Residential, Multifamily District: 12 units per acre maximum density <b>to</b> NO-L Neighborhood Office District, Special Use Limited – No Site Plan rezoning. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>Residential Building, Single Family; Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; and Non-Store Retailer</li> </ul>		
<b>Zoning District Purpose Statement</b>	<p>The NO District is primarily intended to accommodate very low intensity office uses within converted single family detached units. The district is intended to be located on the periphery of established residential areas and along major and minor thoroughfares. The district is established to provide convenient locations for offices, the size and operating characteristics of which require limited parking and which generate little traffic. Standards are designed so that this district may serve as a transitional land use between residential districts and commercial districts. This district is intended for application in Growth Management Areas 2, 3, and 4.</p>		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes, the site is located within GMA 3 and is located on a major thoroughfare.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	Southeast corner of Bethania-Rural Hall Road and Jackson Street		
<b>Jurisdiction</b>	Forsyth County (Town of Rural Hall)		
<b>Site Acreage</b>	Approximately ± .47 acre		
<b>Current Land Use</b>	A structure which appears to be a single family residence is currently located on the site.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	RS-9	Neighborhood scale Church
	East	RM-12	Single family home
	South	GI	Industrial use
	West	LB	Funeral home

<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>			
	Yes, the site adjoins properties with zoning classifications of varying intensities including GI, LB and RM-12.			
<b>Physical Characteristics</b>	The site is developed and has a gentle slope downward toward the southeast.			
<b>Proximity to Water and Sewer</b>	Public water and sewer are available to the site.			
<b>Stormwater/ Drainage</b>	No known issues.			
<b>Analysis of General Site Information</b>	The site appears to have no development constraints and to be suitable for development within the proposed NO-L District.			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
Bethania-Rural Hall Road	Major Thoroughfare	110'	9,000	16,100
Jackson Street	Local street	189'	NA	NA
<b>Proposed Access Point(s)</b>	Because this is a Special Use Limited – No Site Plan rezoning request, the exact location of access points has not been determined. The site does have public road frontage on Bethania-Rural Hall Road and Jackson Street.			
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: RM-12</u> 4 units x 6.59 (Multifamily Trip Rate) = 26 Trips per Day</p> <p><u>Proposed Zoning: NO-L</u> No trip generation numbers available for the proposed Special Use Limited- No Site Plan zoning</p>			
<b>Sidewalks</b>	Sidewalks are located directly west of the subject property on both sides of Bethania-Rural Hall Road.			
<b>Transit</b>	Not available.			
<b>Analysis of Site Access and Transportation Information</b>	The request does not appear to generate any negative transportation impacts.			
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>				
<b>Legacy GMA</b>	Growth Management Area 3, Suburban Neighborhoods			
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>Permit services near where people live in a manner that is compatible with surrounding uses. Provide retail and service uses within walking and bicycling distance of neighborhoods. Encourage convenient commercial services to support neighborhood needs.</li> </ul>			

	<ul style="list-style-type: none"> <li><i>Legacy</i> also recommends managing growth by making more efficient use of land that has already been developed, encouraging reuse and infill and capitalizing on other development opportunities.</li> </ul>					
<b>Relevant Area Plan(s)</b>	The subject property is not within the boundaries of an area plan or development guide.					
<b>Comments from the Town of Rural Hall</b>	The Town of Rural Hall is supportive of the subject request.					
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(3) - Have changing conditions substantially affected the area in the petition?</b>					
	No					
	<b>(S)(4) - Is the requested action in conformance with <i>Legacy</i>?</b>					
Yes						
<b>Analysis of Conformity to Plans and Planning Issues</b>	The subject property is zoned RM-12 which is a fairly intense district. Staff views the site as suitable for the low-intensity office district that is being requested. The site is located adjacent to properties zoned GI, LB and RM-12 which allow for a wide range of intense uses. The request is consistent with the recommendations of <i>Legacy</i> which mentions “encouraging reuse and infill and capitalizing on other development opportunities”.					
<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1475	RS-9 & LB to LB	Approved 2-12-07	300’ Northwest	2.07	Approval	Approval
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Chapter B, Article II, Section 2-1.3(A) NO District</li> </ul>					
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>	<b>(A) <i>Legacy</i> policies:</b>			Yes		
	<b>(B) <i>Environmental Ord.</i></b>			NA		
	<b>(C) Subdivision Regulations</b>			NA		
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>						
<b>Positive Aspects of Proposal</b>			<b>Negative Aspects of Proposal</b>			
The request is consistent with the recommendations of <i>Legacy</i> .						
The requested district is compatible with the surrounding zoning and development pattern.						
The request does not appear to generate any negative transportation impacts.						

**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 and recommends staff conditions.

SECOND: Clarence Lambe

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 March 28, 2008, the subject property was in the name of Brownstone I, LLC.

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A. Paul Norby, AICP  
Director of Planning