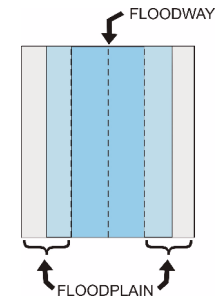


DOCKET #: F1475

PROPOSED ZONING:
LB

EXISTING ZONING:
RS9 and LB

PETITIONER:
Carloina Farm Credit
ACA for property owned
by Same



SCALE: 1" represents 600'

STAFF: King

GMA: 3

ACRE(S): 2.85

MAP(S): 612906



January 24, 2007

Carolina Farm Credit ACA
c/o Dale H. Parker, Branch Manager
P. O. Box 4188
Winston-Salem, NC 27115

RE: ZONING MAP AMENDMENT F-1475

Dear Mr. Parker:

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

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _____ **AGENDA ITEM NUMBER:** _____

SUBJECT:-

- A. Public Hearing on Zoning Map Amendment of Carolina Farm Credit ACA from RS-9 and LB to LB: property is located on the north side of Bethania-Rural Hall Road, west of Jackson Street (Zoning Docket F-1475).

- B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning Map.

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

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

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____
County Manager

COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Carolina Farm Credit ACA,
Docket F-1475

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 RS-9 and LB to LB the zoning classification of
the following described property:

BEGINNING AT AN IRON PIN AT THE SOUTHWEST CORNER OF TAX
LOT 004A OF TAX BLOCK 4923, OWNED BY JOSEPHINE T. RUTLEDGE,
AS RECORDED IN DEED BOOK 1370, PAGE 1657, FORSYTH COUNTY
REGISTRY, THENCE FROM BEGINNING POINT S 88° 33' 11" E 134.35'
TO AN IRON PIN AT THE SOUTHEAST CORNER OF TAX LOT 004A AND
IN THE WESTERN LINE OF TAX LOT 002B OF TAX BLOCK 4923;
THENCE WITH THE WESTERN LINE OF TAX LOT 002B AND TAX LOT
001A OF TAX BLOCK 4923 S 00° 51' 57" W 217.53' TO AN IRON PIN IN
THE NORTHERN RIGHT-OF-WAY OF BETHANIA-RURAL HALL ROAD;
THENCE ALONG THE NORTHERN RIGHT-OF-WAY OF BETHANIA-
RURAL HALL ROAD THE THREE FOLLOWING COURSES: 1) N 88° 36'
43" W 144.11' TO A POINT; 2) S 03° 26' 04" W 3.12' TO AN IRON PIN; 3) S
88° 09' 00" W 119.25' TO A SQUARE IRON AT THE SOUTHEAST CORNER
OF TAX LOT 006 OF TAX BLOCK 4923; THENCE A LONG THE EASTERN
LINE OF TAX LOT 006 N 01° 38' 56" E 148.18' TO A POINT ON A FENCE
POST AT THE NORTHEAST CORNER OF TAX LOT 006 OF TAX BLOCK
4923; THENCE ALONG THE NORTHERN LINE OF TAX LOT 006 N 89° 46'
31" W 98.69' TO A POINT ON A FENCE POST AT THE NORTHWEST
CORNER OF TAX LOT 006 AND IN THE EASTERN LINE OF TAX LOT

007E OF TAX BLOCK 4967; THENCE ALONG THE EASTERN LINE OF TAX LOT 007E N 02° 06' 12" E 193.47' TO AN IRON PIN; THENCE ACROSS TAX LOT 101 OF TAX BLOCK 4923 S 86° 55' 21" E 226.43' TO AN IRON PIN AT OR NEAR THE NORTHWEST CORNER OF TAX LOT 004A OF TAX BLOCK 4923; THENCE ALONG THE WESTERN LINE OF TAX LOT 004A OF TAX BLOCK 4923 S 03° 27' 21" W 105.51' TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 2.06917 ACRES, MORE OR LESS.

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	F-1475		
Staff	Aaron King		
Petitioner(s)	Carolina Farm Credit, ACA		
Owner(s)	Same		
Subject Property	Portion of Tax Lot 101, Tax Block 4923		
Type of Request	General use rezoning from LB & RS-9 to LB.		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LB (Limited Business) and RS-9 (Residential Single Family; 9,000 sf. lot size) to LB (Limited Business).</p> <p>NOTE: Both general and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.</p>		
Zoning District Purpose Statement	<p>The LB District is primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods, including smaller business locations up to ten (10) acres in size in rural areas. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so that this district, in some instances, may serve as a transition between residential districts and other commercial districts. This district is intended for application in Growth Management Areas 2, 3, 4, and 5.</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)?		
	The subject property is located in GMA 3 on a Major Thoroughfare.		
GENERAL SITE INFORMATION			
Location	North side of Bethania-Rural Hall Road, west of Jackson Street		
Jurisdiction	Forsyth County		
Site Acreage	Approximately ± 2.07 acres		
Current Land Use	Undeveloped land with a building that is currently being demolished		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	Undeveloped land

	East	RS-9 & LB	Single family homes and commercial building	
	South	LB	Funeral home	
	West	RS-9	Single family homes	
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Yes, a portion of the adjacent property is currently zoned LB. The LB district does not allow some of the more intense commercial uses allowed in the HB and GB districts.			
Physical Characteristics	The subject property is flat and contains no streams or wetlands.			
Proximity to Water and Sewer	The subject property has access to public water and public sanitary sewer.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The subject property is not located within a water supply watershed.			
Analysis of General Site Information	The subject property is undeveloped with the exception of a building that is currently being removed. The site contains a gentle topography with no streams or wetlands and poses no development issues.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Bethania-Rural Hall Road	Major Thoroughfare	+/- 270 feet	9,500	16,100
Bethania Street	Local Road	+/- 25 feet	NA	NA
Proposed Access Point(s)	Since this is a general use rezoning request, the exact location of access points is unknown. The site does have public road frontage along Bethania-Rural Hall Road and access to Bethania Street.			
Planned Road Improvements	The Thoroughfare Plan recommends that Bethania-Rural Hall Road be constructed as a two-lane cross section with curb and gutter, sidewalks, and bicycle lanes.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: LB & RS-9</u> 0.71 acres (RS-9) x 43,560 / 9,000 = 3 units x 9.57 (SFR Trip Rate) = 29 Trips per Day 1.04 acres (LB) = No trip generation numbers available for general use LB zoning</p> <p><u>Proposed Zoning: LB</u> No trip generation numbers available for general use LB zoning.</p>			
Sidewalks	Sidewalks exist on the south side of Bethania-Rural Hall Road.			
Traffic Impact Study (TIS)	Not required.			

Analysis of Site Access and Transportation Information	Since this is a general use request, it is difficult to determine the impacts to the transportation network. Due to the small size of the property, it is reasonable to assume that only one business could be accommodated which would therefore limit the amount of traffic generated.					
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA	GMA 3 (Suburban Neighborhoods)					
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Legacy supports neighborhood serving commercial in close proximity to residential areas. Legacy also calls for existing neighborhoods to be preserved and protected from inappropriate commercial encroachment. 					
Relevant Area Plan(s)	The subject property is not located within the boundaries of an area plan or development guide.					
Comments from the Town of Rural Hall	The Town of Rural Hall is supportive of this rezoning request.					
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?					
	Yes					
Analysis of Conformity to Plans and Planning Issues	Staff is supportive of expanding the existing LB zoning at this location, however, there are concerns about LB zoning extending too far back adjacent to the existing residents along Bethania Street. One concern is the potential negative impacts from commercially zoned property adjacent to the existing homes. Another concern is having commercial zoning along Bethania Street, which has the potential of being extended into a larger tract of residentially zoned land to the west. The petitioner has submitted a revised property description that reduces the amount of property included in this request from 2.85 acres to 2.07 acres. This revised request addresses staff's concerns by leaving the northernmost portion residentially zoned.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1188	PB to GB-S	Approved 7/7/97	East	0.61	Denial	Approval
F-1173	PB & RS-9 to GB	Approved 11/25/96	North	7.14	Approval	Approval
F-1109	PB to GB	Approved 5/22/95	North	1.34	Denial	Denial
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.3(G) LB District 					

Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:	Yes
	(B) Environmental Ord.	NA
	(C) Subdivision Regulations	NA
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
The request is consistent with the recommendations of <i>Legacy</i> .		The request may generate some negative impacts for adjacent residential properties.
The southernmost portion of the site is currently zoned LB.		
The site does front on a major thoroughfare.		

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.**

David Reed made a brief staff report and stated that the petitioner had reduced the site requested for rezoning so that it does not extend to the alignment of Bethania Street, which is a residential street.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment.

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 November 30, 2006 by the Office of the Tax Assessor, the subject property was in the name of Carolina Farm Credit ACA.

A. Paul Norby, FAICP
Director of Planning