



DOCKET #: F1465
(continued from 8/10/2006)

PROPOSED ZONING:
HB-S TWO PHASE
(Multiple Business Uses)

EXISTING ZONING:
RS20

PETITIONER:
Venable Wood LLC for
property owned by Same

SCALE: 1" represents 400'

STAFF: King

GMA: 5

ACRE(S): 3.68

MAP(S): 666882



**CITY-COUNTY PLANNING BOARD
DRAFT STAFF REPORT FOR: F-1465**

PETITION INFORMATION	
Docket #	F-1465
Staff	Aaron King
Petitioner(s)	Venable Wood LLC
Owner(s)	Same
Subject Property	Tax Lot 44, Tax Block 5422
Type of Request	General use rezoning from RS-20 to HB-S TWO-PHASE for multiple business uses.
Continuance History	This request was continued from the July 13 th and August 10 th Planning Board meetings so that the petitioner could submit a special use rezoning request and continue discussions with NCDOT regarding future road improvements that may affect the subject property.
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-20 (Residential Single Family; 20,000 sf. lot size) to HB-S TWO PHASE (Highway Business – Special Use Zoning).</p> <ul style="list-style-type: none"> The petitioner is requesting the following uses: (General Merchandise Store; Implement Sales and Service; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display, Retail; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Building Contractor, General; Medical or Dental Laboratory; Medical and Surgical Offices; Non-Store Retailer; Offices, Miscellaneous; Professional Offices; Services, Business A; Services, Personal; and Veterinary Services)
Zoning District Purpose Statement	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.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	<p>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>The subject property is located in GMA 5 (Rural Area) and is not consistent with the HB purpose statement. This request may encourage further incremental, strip commercial development along Reidsville Road and Vance Road.</p>
GENERAL SITE INFORMATION	
Location	Northeast corner of US 158 and Vance Road
Jurisdiction	Forsyth County
Site Acreage	Approximately ± 3.68 acres

Current Land Use	Single family home and associated accessory buildings			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	RS-20	Undeveloped land	
	East	RS-20	Undeveloped land	
	South	RS-20	Scattered single family homes	
	Southwest	LB	Gas station	
West	RS-20	Undeveloped land		
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?			
	This request includes fifteen different uses that could be developed on the property if this request were approved. The surrounding area is primarily agricultural in character with the exception of the adjacent gas station. Approval of this request would introduce a wide array of more intense commercial activity into this rural area.			
Physical Characteristics	The site slopes down from the south (+/- 972 ft) to the north (+/- 944 ft).			
Proximity to Water and Sewer	The subject property has access to public water, but has no access to public sanitary sewer.			
Stormwater/ Drainage	The site plan indicates that stormwater will be directed toward the northern corner of the property. The site contains a natural topography that slopes down toward the north.			
Watershed and Overlay Districts	The subject property is not located within a water supply watershed.			
Analysis of General Site Information	The site is 3.68 acres in size and is relatively flat, containing no streams or wetlands. The property contains one single family home and associated accessory buildings. The site poses no physical development constraints. The site plan proposes only minor changes to the existing conditions. It is difficult for staff to accurately determine the overall impact of this development, since staff has no knowledge of a specific end use, maximum building square footage(s), or final site design. These elements can be addressed in the Final Development Plan (FDP) or second phase, however, it would be difficult to limit the size or use of a proposed building since the HB zoning would be in place. It is important to keep in mind that approval of this request and the submitted site plan do not place any limits on maximum building square footage. The site plan that has been submitted is basically a “blank slate” offering no site design specificity.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
US 158	Major Thoroughfare	+/- 511 feet	14,000	16,700
Vance Road	Minor	+/- 411 feet	3,300	11,000

	Thoroughfare			
Proposed Access Point(s)	The site plan proposes one access point onto Vance Road. No access will be allowed onto Reidsville Road. Right-of-way acquisition is scheduled for fiscal year 2010 with construction scheduled for fiscal year 2012.			
Planned Road Improvements	The Thoroughfare Plan recommends Reidsville Road be developed into a Four-Lane Divided Boulevard and Grass Median.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RS-20</u> $3.68 \times 43,560 / 20,000 = 8 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 76 \text{ Trips per Day}$</p> <p><u>Proposed Zoning: HB-S</u> $18,000 / 1,000 \times 246.49 \text{ (Drive-In Bank Trip Rate)} = 4,436 \text{ Trips per Day}$</p> <p>The estimated trip generation figure of 4,436 trips per day is intended to show what kind of trip generation would be allowed in the second phase with the range of uses requested. If development of this type or intensity occurs, the current capacity of Reidsville Road could be exceeded.</p>			
Sidewalks	None existing			
Traffic Impact Study (TIS)	Not required			
Analysis of Site Access and Transportation Information	The subject property is located at the awkward intersection of Reidsville Road, Vance Road, and Belews Creek Road. NCDOT has commented that this request may potentially conflict with the TIP project for the intersection realignment of Vance and Belews Creek Roads. Another transportation issue that affects this site is the future widening of Reidsville Road. Additional right-of-way may be required (from the site) for the widening project. Staff has concerns about increasing the value of property that may need to be purchased for future road improvements. It also seems premature to intensify the zoning on a site that may be impacted by the widening project.			
Generalized Recommended Conditions	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> • Condition to obtain NCDOT driveway permit • Condition to record a negative access easement along US 158 			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	GMA 5 (Rural Area)			
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • <i>Legacy</i> states that provisions will be made for the protection of farmland, natural areas, and rural character in GMA 5 (the Rural Area). <i>Legacy</i> also states that this area is intended to remain in very low density residential and agricultural uses for the Plan's 15-year time horizon. <i>Legacy</i> also specifically discourages rezonings to more intense districts in the Rural Area. 			
Relevant Area Plan(s)	<i>Walkertown Area Plan (2006)</i>			

Area Plan Recommendations	The <i>Walkertown Area Plan</i> was adopted by the Walkertown Town Council on May 25, 2006. However, the Plan has not as of this writing been considered for adoption by the Forsyth County Board of Commissioners. This site is designated for low-density residential use in the <i>Walkertown Area Plan</i> . The Plan recommends that commercial uses be concentrated at designated areas on NC66; within two Community Activity Centers at NC66/US 158 and the southeast quadrant of the intersection of the proposed Beltway and US158; within a Neighborhood Activity Center at New Walkertown Road northeast of the proposed Beltway; or at identified road intersections to service specific neighborhoods. The proposed commercial rezoning, therefore, does not conform to the Area Plan recommendations. In addition the UDO intended for HB to be used in GMA's 1, 2, and 3 (see purpose statement).					
Comments from Walkertown	The Town of Walkertown has expressed their concern with the rezoning of the subject property from RS-20 to HB-S. One concern that is noted is the inconsistency with the <i>Walkertown Area Plan (WAP)</i> . The <i>WAP</i> recommends low density residential for this site and rezoning to HB would be inconsistent with the area plan recommendations. A second concern involves how compatible the requested commercial uses would be with the existing rural residential character of the surrounding area. The third concern is in regard to traffic and the amount of trips this request could place onto Reidsville Road and also adding traffic to the already awkward intersection of Reidsville/Vance/Belews Creek Roads.					
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 <i>Legacy</i>?					
	No					
Analysis of Conformity to Plans and Planning Issues	The subject request is not in conformance with <i>Legacy</i> or the recommendations of the <i>Walkertown Area Plan (WAP)</i> . The <i>WAP</i> recommends that this site remain residential. Commercial zoning would run counter to this recommendation. In drafting the <i>WAP</i> , an effort was made to focus commercial development into activity centers such as the Community Activity Center (CAC) designated at the intersection of NC 66 and US 158. Intensifying the zoning outside of these activity centers tends to promote strip commercial development and siphon activity away from these nodes. Currently, within the designated CAC at NC 66 and US 158, there is a large amount of undeveloped commercially zoned land.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreeage	Recommendation	
					Staff	CCPB
WA-015	RS-20 to HB-S (TWO-PHASE)	Approved 9/23/04	South	31.11	Denial	Approval

F-1155	RS-20 to HB-S	Approved 4/8/96	Southeast	5.5	Denial	Approval
F-195	R-6 to B-3	Approved 5/3/71	South	2.8	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	1,331 sf. shown to remain (no limitation on square footage that could be shown in 2 nd phase)		Existing SF home to remain located along Vance Road			
Parking	Required	Proposed	Layout			
	7 spaces	9 spaces	East of the existing building			
Building Height	Maximum		Proposed			
	60 feet		2-story maximum			
Impervious Coverage	Maximum		Proposed			
	85%		4% as shown in 1 st phase (this number is subject to change in 2 nd phase)			
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.3(I) HB District 					
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:	No				
	(B) Environmental Ord.	Yes				
	(C) Subdivision Regulations	NA				
Analysis of Site Plan Compliance with UDO Requirements	The site plan indicates that the existing one-story brick home will remain and could be used for any of the requested uses, with all other buildings to be removed. One access point is shown onto Vance Road with parking located east of the house. While this site plan meets UDO requirements for a TWO-PHASE site plan, it offers no specificity for future development. Staff is awaiting minor revisions to the site plan.					
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> Signage condition Lighting condition 					
REMAINING SITE PLAN ISSUES						
Issue			Status			
Label use of existing building			Awaiting revised site plans			
Provide Type IV bufferyard						
Provide wheel stops on gravel parking						
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The request has been revised to special use zoning from the original HB request.			The request is not consistent with <i>Legacy</i> or the <i>WAP</i> .			
			Approval of this request would steer commercial development away from established commercial nodes in Walkertown.			

	Approval would intensify the zoning at an already awkward intersection, before future road improvements have been made.
	The site plan provides little specificity.
	The request is not consistent with the HB purpose statement.
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>	
a. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.	
<u>PRIOR TO THE ISSUANCE OF BUILDING PERMITS:</u>	
a. Developer shall record a negative access easement across the frontage of Reidsville Road	
<u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u>	
a. Developer shall complete all requirements of the NCDOT driveway permit.	
<u>OTHER REQUIREMENTS:</u>	
a. Any freestanding signage shall be limited to one monument sign with a maximum height of six feet.	
b. Any on site lighting shall not exceed a maximum of 15 feet in height and shall be of the “cutoff” type or otherwise designed not to cast direct light on adjacent properties.	

STAFF RECOMMENDATION: DENIAL.

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 continuance of the zoning map amendment to September 14, 2006.

SECOND: Arthur King

VOTE:

FOR: Jerry Clark, Carol Eickmeyer, Arnold King, Arthur King, Lynne Mitchell, Paul
Mullican

AGAINST: None

EXCUSED: None