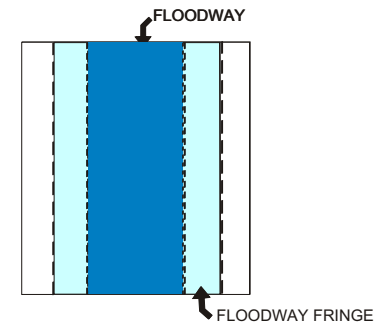


**DOCKET #:** F1422

**PROPOSED ZONING:**  
LI

**EXISTING ZONING:**  
RS-9

**PETITIONER:**  
James S. Brown,  
Donna L. Brown, and  
Forsyth County  
Development Corp.



**SCALE:** 1" represents 400'

**STAFF:** Roberts

**GMA:** 3

**ACRE(S):** 2.50

**MAP(S):** 654838



December 10, 2004

Gene Lowder  
2810 Griffith Road  
Winston-Salem, NC 27104

RE: ZONING MAP AMENDMENT F-1422

Dear Mr. Lowder:

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, AICP  
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 James S. Brown, Donna L. Brown, and Forsyth County Development Corporation from RS-9 to LI: property is located on the southeast corner of US 311 and Cole Road (Zoning Docket F-1422).
- 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 James S. Brown, Donna L. Brown, and Forsyth County Development Corporation, Docket F-1422

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 to LI the zoning classification of the following described property:

Tax Block 2538, Tax Lots 02T and 204  
Tax Block 2645, Tax Lot 03B

Section 2. This ordinance shall become effective upon adoption.

## ZONING STAFF REPORT

**DOCKET #** F-1422  
**STAFF:** Gary Roberts

Petitioner(s): James S. Brown, Donna L. Brown, and Forsyth County Development Corporation  
Ownership: Same

### **REQUEST**

From: RS-9 Single Family Residential District; 9,000 sf minimum lot size  
To: LI Limited Industrial District

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

NOTE: This is a general use zoning petition; therefore, ALL uses permitted in the above requested district should be considered.

Acreage: 2.5 acres

### **LOCATION:**

Street: Southeast corner of US 311 and Cole Road.  
Jurisdiction: Forsyth County.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Site is currently undeveloped.

Adjacent Uses:

North-	US 311, four-lane divided freeway.
East-	Site built and manufactured homes zoned RS-9 and MH.
Southeast-	Single family homes and the Christ Temple Church zoned RS-9.
Southwest-	Tarheel Paper zoned LI.
West-	Undeveloped property zoned LI.

### **GENERAL AREA**

Character/Maintenance: Mixture of moderately well to well maintained residential and industrial uses.

Development Pace: Slow.

## **HISTORY**

Relevant Zoning Cases:

1. F-1324; RS-9 to MH; approved November 13, 2000; north side of Thamer Lane northeast of Cole Road; 0.29 acre; Planning Board and staff recommended approval.
2. W-2237; RS-9 to LI; approved October 8, 1998; northeast side of Cole Road north of US 311; 4.18 acres; Planning Board and staff recommended approval.
3. F-951; R-6 to I-2 (LI); approved January 22, 1990; west side of Cole Road, northwest side of Ridgewood Road and south of US 311; 172 acres; Planning Board and staff recommended approval.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Because it is a general use petition, the impact of this proposal to the site's existing physical features cannot be determined at this time.

Topography: Moderate slope downward from the southeastern section of the site to the northwestern corner of the site.

Streams: Fiddlers Creek is located about 600 feet to the northwest of the subject property.

Vegetation/habitat: The subject property is almost completely covered with existing vegetation.

Floodplains: Floodway Fringe area is located about 350 feet to the northwest of the subject property.

Environmental Resources Beyond The Site: Because it is a general use petition, this proposal's impact to environmental resources beyond the site cannot be determined at this time.

Water Supply Watershed: The subject property is not located in a water supply watershed.

## **TRANSPORTATION**

Direct Access to Site: Cole Road; US 311

Street Classification: Cole Road – Minor Thoroughfare; US 311 - Freeway

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Cole Road between I-40 and Ridgewood Road = 3,100/11,100

US 311 between Ridgewood Road and I-40 = 20,000/63,600

Planned Road Improvements: None

## **CONFORMITY TO PLANS**

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): The *Legacy* Plan supports quality economic development that is compatible with surrounding neighborhoods and done in an environmentally sensitive way.

Area Plan/Development Guide: *US 311 Area Plan* (1984).

Relevant Development Guide Recommendation(s): The *US 311 Area Plan* recommends that the subject property be developed for single-family residential uses.

## **ECONOMIC DEVELOPMENT**

Prime Industrial Site: Yes.

Railroad Access: No.

Available Infrastructure: Excellent access to US 311 and I-40 via the Ridgewood Road interchange.

## **ANALYSIS**

The request is to rezone 2.5 acres of undeveloped property from RS-9 to LI. The site is located on the southeast corner of Cole Road and US 311 along the north side of Thamer Lane. Fronting along Thamer Lane are approximately six single family homes zoned RS-9 and MH. Located directly across Cole Road, as well as US 311, are various industrial and distributional facilities zoned LI.

The site is not within the boundaries of a current area plan or development guide. It does fall within the boundaries of the *US 311 Area Plan*. The plan recommends residential use for the subject property. However, since its adoption in 1984, approximately 172 acres of RS-9 zoned property located directly across Cole Road, were rezoned to LI in 1990. Much of this area, known as the Centre 311 Business Park, has been developed accordingly with industrial uses.

It should be noted that one of the proposed alignments for the eastern section extension of the Northern Beltway would necessitate a reconfiguration of the existing US 311/Ridgewood Road interchange. This reconfiguration would relocate both the on and off ramps to the western side of Ridgewood Road. However, based upon present information, it does not appear that any additional right-of-way would need to be obtained from the subject property. On a smaller scale it should also be noted that a petition has been submitted to close a portion of the platted, unopened street which connects to Thamer Lane and projects into the subject property.

Based upon the surrounding development pattern and proximity to an interchange with US 311, staff recommends approval of the subject request.

## **FINDINGS**

1. *Legacy* supports economic development that is compatible with existing residential neighborhoods and other business developments.
2. The *US 311 Area Plan*, which recommends the subject property be developed for single-family residential uses, was adopted prior to the completion of the new US 311 freeway and prior to extensive LI rezoning activity which is located across Cole Road from the subject property.

3. The subject property abuts US 311 and is in close proximity to an existing interchange.

**STAFF RECOMMENDATION**

Zoning: **APPROVAL**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

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

SECOND: Dara Folan

VOTE:

FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Norwood, Smith

AGAINST: None

EXCUSED: None

According to information furnished on November 4, 2004 by the Office of the Tax Assessor, the subject property was in the name of James S. Brown and Donna L. Brown and Forsyth County Development Corp.

---

A. Paul Norby, AICP  
Director of Planning