



DOCKET #: F1388

PROPOSED ZONING:
RS20

EXISTING ZONING:
GI-S

PETITIONER:
Westview Development Company

SCALE: 1" represents 400'

STAFF: Hall

GMA: 3

ACRE(S): 10.25

MAP(S): 612906



July 23, 2003

Westview Development Company
c/o Brant N. Godfrey, President
2631 Reynolda Road
Winston-Salem, NC 27106

RE: ZONING MAP AMENDMENT F-1388

Dear Mr. Godfrey:

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 Westview Development Company from GI-S to RS-20: property is located on the east side of Circle Drive north of Tobaccoville Road; property consists of ±10.25 acres and is Tax Lot 59X, Tax Block 4967 as shown on the Forsyth County Tax Maps (Zoning Docket F-1388).

- 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:- X YES ___ NO

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

COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Westview Development Company,
Docket F-1388

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 GI-S (Offices,
Warehouse, Motor Vehicle and Heavy Machinery Repair, Storage Yard, and Utilities,
Public) to RS-20 the zoning classification of the following described property:

Tax Block 4967, Tax Lot 59X

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # F-1388
STAFF: S. Chad Hall

Petitioner(s): Westview Development Company
Ownership: Same

REQUEST

From: GI-S (Offices; Warehouse; Motor Vehicle and Heavy Machinery Repair;
Storage Yard; and Utilities, Public)
To: RS-20 (Single Family, Residential; 20,000 square foot minimum lot size)

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: 10.25 acres

LOCATION:

Street: East side of Circle Drive north of Tobaccoville Road.
Jurisdiction: Forsyth County.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: None.

Adjacent Uses:

North-	Duke Power Company maintenance facility zoned GI-S.
East-	Undeveloped land zoned RS-20.
South-	Large lot single-family development along Tobaccoville Road.
West-	Some existing single-family and new residential construction zoned RS-20.

GENERAL AREA

Character/Maintenance: There is a large amount of general use RS-20 and GI-S land in the area; a majority of this land is currently undeveloped. The resulting character is of large lot residential development.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Being a general use request, no determination of impact to existing features can be made. The site is, however, mostly wooded and Beaver Dam Creek abuts the subject property to the south. Staff refers to the Land Sensitive Memorandum of Understanding signed by the County Commissioners July 6, 1999 encouraging "...that land development, whether residential or commercial, dense or sparse should be done in an environmentally friendly manner."

Topography: The subject property experiences an approximate 52 foot elevation change, from about 960 feet in the northwest section of the site down to about 908 feet at the southern section of the site along the stream. Additionally, beyond the southern property boundary, the topography rises quickly up to about 956.8 feet.

Streams: Beaver Dam Creek traverses the most southern section of the subject property, nearly identical to the property boundary.

Vegetation/habitat: The subject property is almost completely vegetated, except for a small section of land on the most western and northwest sections of the site.

Floodplains: There are no floodplains within the subject property.

Wetlands: None - Rural Hall Quad.

Natural Heritage Sites: None.

Farmland Preservation Sites: None.

Environmental Resources Beyond The Site: Because the proposed zoning is for general use, environmental impacts to 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: Circle Drive; Tobaccoville Road.

Street Classification: Circle Drive – Local Road; Tobaccoville Road – Major Thoroughfare.

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

Tobaccoville Road between Circle Drive and Westinghouse Road = 2,700/11,100

Tobaccoville Road between Westinghouse Road and Bethania-Rural Hall Road = 3,000/11,100

Planned Road Improvements: Rural Hall Loop from Tobaccoville Road to NC 66; New 2 lane road; 2021 – 2025; Not Regionally Significant. The loop would pass by the western property line of the subject property utilizing Circle Drive.

Sight Distance: Good.

Traffic Impact Study recommended: No.

Connectivity of street network: Good connectivity in the area.

Sidewalks: None existing.

Transit: None.

Bicycle Route: None.

HISTORY

Relevant Zoning Cases:

1. F-1375; AG to RS-20-S (Residential, Single Family); approved February 10, 2003; Southwest side of Helsabeck Road south of Tuttle Road; 13.5 acres; Planning Board recommended approval and staff recommended denial.
2. F-1326; RS-9 to MH-S (Manufactured Housing Development); withdrawn October 12, 2000; West of Bethania-Rural hall Road approximately at the intersection with Falconbridge Road; 38.92 acres; withdrawn at Planning Board.
3. F-1229; RS-9 to GI; approved June 22, 1998; South side of Westinghouse Road between Langenthal Road and Tobaccoville Road; 0.34 acre; Planning Board and staff recommended approval.
4. F-826; R-6 to I-2-S (Offices, Warehouse, Motor Vehicle and Heavy Machinery Repair, Storage Yard, and Utilities, Public); approved January 12, 1987; North and east of Booze Road north of Tobaccoville Road; 37.39 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): *Legacy* recognizes that our community has a limited amount of suitable industrial sites. One of the recommendations in *Legacy* is to recognize the scarcity of “greenfield” industrial sites and promote the wisest economic use of these limited resources.

ECONOMIC DEVELOPMENT

Prime Industrial Site: No. Prime industrial sites are adjacent to the subject property.

INCORPORATED AREA COMMENTS

Incorporated Jurisdiction: Town of Rural Hall

Expressed Concern: The Town has expressed that they want to assure that adequate land is protected to permit the Rural Hall Loop. Beyond that, the Town is comfortable with this rezoning request.

ANALYSIS

The current request is to rezone 10.25 acres from GI-S (Multiple Uses) to RS-20. The site is located on the east side of Circle Drive north of Tobaccoville Road. Development in this area is primarily residential in character with some industrial development north of the site. The subject property is a portion of that GI-S zoned land. Other land in the

surrounding area, both developed and vacant, primarily consists of RS-20 land. A new subdivision is currently under construction to the west of the subject property across Circle Drive.

While not considered a prime industrial site, there are other parcels in the area designated as such. This is one of the key considerations for letting this site revert back to a residential district. The property directly east of the subject property is one of those parcels identified. With that, should that parcel develop as an industrial site, the subject property would be bordered to both the north and east by industrial development. If properly buffered, there should be no adverse effects from this situation and a positive consequence would be having housing in close proximity to employment.

The proposed Rural Hall Loop from Tobacoville Road to NC 66 appears that it may cut through the northwestern most tip of the subject property.

Being a general use request, no determination of impact to existing features can be made. The site is, however, mostly wooded and Beaver Dam Creek abuts the subject property to the south. Staff refers to the Land Sensitive Memorandum of Understanding signed by the County Commissioners July 6, 1999 encouraging "...that land development, whether residential or commercial, dense or sparse should be done in an environmentally friendly manner." While this is not a concern pertaining to this rezoning request, staff felt it was important to include this language to make the petitioner aware of this Memorandum in advance of any subdivision plans, should this rezoning be granted.

FINDINGS

1. Development in this area is primarily residential in character.
2. While not considered a prime industrial site, there are other parcels in the area designated as such.
3. The proposed Rural Hall Loop may the cut the northwestern tip of the property.
4. The Land Sensitive Memorandum of Understanding will apply to this site.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Arnold King moved approval of the zoning map amendment.

SECOND: Philip Doyle

VOTE:

FOR: Bost, Clark, Doyle, Eickmeyer, Folan, Glenn, King, Lambe, Norwood

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor on June 4, 2003, the subject property was in the name of Westview Development Corp.

A. Paul Norby, AICP
Director of Planning