

DOCKET #: F1366

PROPOSED ZONING:

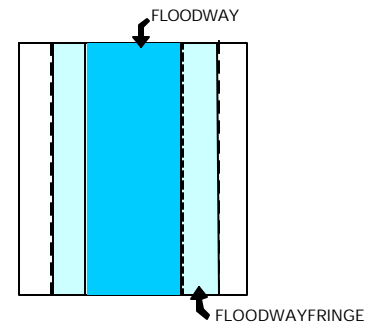
Tract One: RM8-S
(Multiple Uses),
Tract Two: LO-S (Two Phase)
(Multiple Uses)

EXISTING ZONING:

Tract One: RS9 and RM12,
Tract Two: RS9 and RM12

PETITIONER:

Billy Disher,
Frances Disher,
E. J. Holcomb,
and Dorothy Holcomb



SCALE: 1" represents 600'

STAFF: Simmons

GMA: 3

ACRE(S): Tract One: 54.96,
Tract Two: 13.02

MAP(S): 654878, 660878



May 22, 2002

E. J. Holcomb, et al., Dorothy Holcomb,
Billy T. Disher, and Frances Z. Disher
c/o Calmit Properties
Attn: Les Mitchell
115 Adams Street
Kernersville, NC 27284

RE: ZONING MAP AMENDMENT F-1366

Dear Mr. Mitchell:

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
N. Alan Bennett, The Colonial Square, 116 S. Cherry Street, Kernersville, NC 27284

FORSYTH COUNTY
BOARD OF COMMISSIONERS

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

SUBJECT:-

Zoning map amendment of Billy Disher, Frances Disher, E. J. Holcomb, et al., and Dorothy Holcomb

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning map amendment of Billy Disher, Frances Disher, E. J. Holcomb, et al., and Dorothy Holcomb for two separate tracts of land as follows:

Tract One: from RS-9 and RM-12 to RM-8-S (Residential Building, Single Family; Residential Building, Townhouse; Planned Residential Development; and Transmission Tower): property is located on the north and south sides of Rocky Branch Road west of Poindexter Street (Zoning Docket F-1366).

Tract Two: from RS-9 and RM-12 to LO-S (Museum or Art Gallery; Neighborhood Organization; Police or Fire Station; Recreation Facility, Public; Child Day Care Center; Government Offices; Medical and Surgical Offices; Offices, Miscellaneous; Professional Offices- TWO PHASE); property is located on the east side of Rocky Branch Road and at the western terminus of Poindexter Street (Zoning Docket F-1366).

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

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

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COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Billy Disher, Frances Disher, E. J. Holcomb, et al., and Dorothy Holcomb, Docket F-1366

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 Tract One from RS-9 and RM-12 to RM-8-S (Residential Building, Single Family; Residential Building, Townhouse; Planned Residential Development; and Transmission Tower) and Tract Two from RS-9 and RM-12 to LO-S (Museum or Art Gallery; Neighborhood Organization; Police or Fire Station; Recreation Facility, Public; Child Day Care Center; Government Offices; Medical and Surgical Offices; Offices, Miscellaneous; and Professional Offices- TWO PHASE) the zoning classification of the following described property:

RM-8-S (Tract 1): Tax Block 3242, Tax Lots 6, 7B, 7C, 8B

LO-S (Tract 2): Tax Block 3242, Lot 206

Section 2. This Ordinance is adopted after approval of the site plan entitled CALMIT Properties, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 20____ to Billy Disher, Frances Disher, E. J. Holcomb, et al., and Dorothy Holcomb.

Section 3. The Board of Commissioners hereby directs the issuance of a Special Use District

Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as CALMIT Properties. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

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

COUNTY, SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the Forsyth County
Board of Commissioners

The Forsyth County Board of Commissioners issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Billy Disher, Frances Disher, E. J. Holcomb, et al., and Dorothy Holcomb (Zoning Docket F-1366). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for RM-8-S (Residential Building, Single Family; Residential Building, Townhouse; Planned Residential Development; and Transmission Tower) - Tract One and LO-S (Museum or Art Gallery; Neighborhood Organization; Police or Fire Station; Recreation Facility, Public; Child Day Care Center; Government Offices; Medical and Surgical Offices; Offices, Miscellaneous; and Professional Office- TWO PHASE) - Tract Two, 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 RM-8-S and LO-S zoning districts of the Zoning Ordinance of the *Unified Development Ordinances* of the County Code, the Erosion Control Ordinance, and other applicable laws, and the following conditions be met:

TRACT ONE (RM-8-S):

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
 - a. Limits of grading for townhouse portion of tract shall be cordoned off in the field.
 - b. Developer shall obtain a Watershed Permit from the Inspections Division.
 - c. After fifty percent (50%) build out of the RM-8-S portion of the development, developer shall provide impervious surface calculations to the Erosion Control Officer as required to insure that the twenty-four percent (24%) maximum impervious cover limitation is not exceeded.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
 - a. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show tentative building locations and all access and utility easements for townhouse portion of property.
 - b. Developer shall record with the final plat, homeowner association covenants, maintenance agreements, and ownership provisions for all areas held in common ownership.
 - c. Developer shall record negative access easements along all residential properties abutting Rocky Branch Road on final plat.
 - d. As volunteered by the petitioner, developer to complete an application for annexation into the Town of Walkertown prior to signing of final plats.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Developer shall install road improvements on Rocky Branch Road, NC 66, and Poindexter Street to Town of Walkertown and/or the North Carolina Department of Transportation requirements.

- **OTHER REQUIREMENTS**
 - a. Signage for the RM-8-S single family residential portion of the project shall be limited to two (2) monument signs with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet at the two entrances to the project on the north side of Rocky Branch Road.
 - b. Signage for the RM-8-S townhouse portion of the project shall be limited to one (1) monument sign with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet at the entrance to the project on the south side of Rocky Branch Road.

TRACT TWO (LO-S - TWO PHASE):

- **GENERAL REQUIREMENTS**
 - a. The City-County Planning Board reserves the right to add any reasonable conditions to the Final Development Plans in accordance with UDO Section 6-2.2(D)(2)(b).

- **PRIOR TO GRADING PERMITS**
 - a. Developer shall obtain a Watershed permit from the Inspections Division. Impervious surfaces shall not exceed twenty-four (24) percent.

- **OTHER REQUIREMENTS**
 - a. Developer shall install a minimum thirty (30) foot wide with double the type II bufferyard plantings along eastern property line of Lot 89 as shown on the approved site plan.
 - b. Signage to each parcel shall be limited to one monument sign with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.

ZONING STAFF REPORT

DOCKET # F-1366
STAFF: Glenn Simmons

Petitioner(s): E. J. Holcomb, et al., Dorothy Holcomb, Billy T. Disher and Frances Z. Disher
Ownership: Same

REQUEST

From: Tract One: RS-9 Residential Single Family District; minimum lot size 9,000 sf and RM-12 Residential Single Family District; minimum lot size 12,000 sf
Tract Two: RS-9 Residential Single Family District; minimum lot size 9,000 sf and RM-12 Residential Single Family District; minimum lot size 12,000 sf
To: Tract One : RM-8-S Residential Multifamily District; maximum density 8 units/acre (Residential Building, Single Family; Residential Building Townhouse; and Planned Residential Development; Transmission Tower)
Tract Two: LO-S Limited Office District (Medical or Surgical Offices; Professional Office; Offices, Miscellaneous; Museum or Art Gallery; Neighborhood Organization; Police or Fire Station; Recreation Facility, Public; Child Day Care Center; and Government Offices - TWO PHASE)

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

Acreage: Tract One: 54.99 acres
Tract Two: 13.02 acres
TOTAL: 68.01 acres

LOCATION

Street: East and west side of Rocky Branch Road south of Old Hollow Road and west of eastern Terminus of Poindexter Street.
Jurisdiction: Forsyth County (Tract One is outside Walkertown Town Limits; Tract Two is inside Walkertown Town Limits).

SITE PLAN

Proposed Use: Mixed use single family residential, townhome and offices uses.
Square Footage: Tract One: 54,600 sf (townhouse units only); Tract Two: N/A (TWO PHASE).
Building Height: Tract One: One and two story (townhouse units only); Tract Two: N/A.
Density: Tract One: 2.38 units per acre (townhomes and single family lots); Tract Two: N/A (TWO PHASE).

Parking: Required: Tract One: Townhouse (60 spaces required @ 1.5 spaces per townhouse unit; proposed: 156 spaces); 83 lot single family component requires 166 spaces @ 2 spaces per lot. Tract Two parking is undefined as a site plan has not been submitted with the first phase of this TWO PHASE zoning request.

Bufferyard Requirements: Minimum 30 foot wide type II buffer where townhome portion of proposed RM-8-S zoning abuts RS-9, and type II buffer where proposed LO-S zoning abuts RS-9.

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Existing transmission tower located on Tract One.

Adjacent Uses:

- North - Vacant and developed HB and HB-S zoned properties fronting on Old Hollow Road (NC 66).
- East - Sparsely developed RS-9 zoned property adjacent to Tract One. LO-S and partially developed RS-9 zoned property adjacent to Tract Two.
- South - Sparsely developed RS-9 zoned property adjacent to Tracts One and Two.
- West - Sparsely developed RS-9 zoned property adjacent to Tracts One.

GENERAL AREA

Character/Maintenance: Moderately well maintained rural residential properties along Rocky Branch Road. Moderately well maintained retail commercial properties facing Old Hollow Road.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Moderate to substantial grading of site required to accommodate proposed new roads and building locations.

Topography: There is a substantial amount of topographic change on the subject property. A major ridge runs through the majority of the northern half of Tract One. From this ridge, the elevation decreases both to the northwest and southeast down to tributaries of Lowery Mill Creek. The southern half of Tract One is a stream valley, as is the majority of Tract Two. There is an overall change in elevation on the two (2) tracts of 102' (from an approximate elevation of 990' along the eastern border of Tract Two to an approximate elevation of 888' along the southern border of Tract One).

Streams: There are several intermittent streams and drainage swales for Lowery Mill Creek that traverse the property from southwest to northeast.

Vegetation/habitat: The subject property is currently predominately vegetated

Floodplains: None - but there are some extensive drainage swales and intermittent streams that traverse the property. Potential for nuisance flooding does exist during heavy rain events.

Wetlands: None - Walkertown Quad.

Water Supply Watershed: Property is located within the Salem Lake - WS III - Balance of Watershed.

Compliance with Watershed Protection Regulations: Since the subject property is located in the balance of the Salem Lake watershed (not located in the reservoir protection area) and is utilizing the planned residential development and nonresidential development options, 24% of the property can

be developed with impervious surfaces. In doing so, the applicant must disclose on a lot by lot basis the impervious surface allocation, minus all impervious surface within the rights-of-ways. While the applicant has not indicated the impervious surface for each lot, the calculations do indicate that they are proposing less impervious surface than the 24% permitted. The applicant may want to view the entire site as one parcel for the purposes of impervious surface allocation so that some of the approximate 120,000 surplus in the residential area can be transferred to the nonresidential area. Such an action would provide greater flexibility for potential noncommercial users while still meeting the 24% impervious surface limitation. In any event, the applicant must disclose the amount of impervious surface per lot in the nonresidential area. Additionally, in approving any permit for the residential areas of the site, the Planning Board must:

- Ensure that all areas with impervious surfaces are designed and sited to minimize stormwater runoff and limit concentrated stormwater flow; and
- Ensure that land disturbance is minimized, existing vegetated areas are retained to the maximum degree possible, and all undeveloped areas of the site will be re-vegetated to promote stormwater infiltration.

Compliance with Federal/State requirements for wetland/stream protection: Sedimentation and Erosion Control plan must be submitted and followed.

TRANSPORTATION

Direct Access to Site: Rocky Branch Road and Poindexter Street.

Street Classification: Local street.

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

Trip Generation/Existing Zoning: RS-9 and RM-12

Tract One: $54.96 \times 43,560/9,000 = 266$ units $\times 9.57$ (SFR Trip Rate) = 2,545 Total Trips

Tract Two: $[11.02 \times 43,560/9,000 = 53$ units $\times 9.57$ (SFR Trip Rate) = 510] + [24 units $\times 6.63$ (Apartment Trip Rate) = 159] = 669 Total Trips

Trip Generation/Proposed Zoning: RM-8-S and LO-S

Tract One: $[83 \times 9.57$ (SFR Trip Rate) = 794] + $[48 \times 6.63$ (Townhome Trip Rate) = 318] = 1,112 Total Trips

Tract Two: Traffic generation numbers for the LO-S request are not currently available due to the fact that a site plan was not submitted as part of the first phase of this two phase zoning request. Depending upon the mix of requested uses, traffic generation could vary substantially; i.e., 11 trips per 1,000 sf for office to 79 trips per 1,000 sf for Day Care Center.

Planned Road Improvements: NCDOT recommendation to Town of Walkertown is that the existing roadbeds of Rocky Branch Road and Poindexter Road be strengthened with additional pavement depth.

Sight Distance: Site distance adequate except at location where proposed Hanley Park Drive intersects with Rocky Branch Road. NCDOT recommends that Town of Walkertown require additional site distance provisions for lots 75 and 55.

Interior Streets: Public streets at all locations except where private drives serve proposed townhome units.

Traffic Impact Study Recommended: None required for Tract One.

HISTORY

Relevant Zoning Cases:

1. F-1112; RM-12 to LO-S (Medical and Surgical Offices; and other office uses); approved May 22, 1995; northwest corner of Darrow Road and Poindexter Road; 3.06 acres; Planning Board and Staff recommended approval
2. F-818; R-5 to R-2 (RM-12 in UDO); approved February 23, 1987; north side of Poindexter Road (western portion of this rezoning petition is part of the current LO-S zoning petition); 5.27 acres; both the Planning Board and staff recommended denial.
3. F-801; R-5 to B-3-S (HB-S in UDO) (Stores or shops, retail and other business uses); approved August 11, 1986; this rezoning was for the Walkertown Centre Stage Shopping Center which is located to the north of the current property fronting NC 66; 13.45 acres; both the Planning Board and staff recommended approval.
4. F-802; R-5 to B-3-S (HB-S in UDO) (Multiple business uses - TWO PHASE); approved August 11, 1986; property is located immediately north of the LO-S portion of the subject site and surrounds the shopping center property. This was a separate petition from the shopping center request (F-801), because of different land owners and developers; 17 acres; Planning Board and staff recommended approval of this petition. Since that approval, one final development plan has been approved for Doug Jone's John Deere dealership which is located on the west side of Darrow Road. The remainder of the site is currently used as a septic drainfield.
5. F-803; R-5 to B-3 (HB in UDO); approved August 11, 1986; property is located on the west side of Rocky Branch Road facing NC-66 and is contiguous to the northwest corner of the RM-8-S portion of the current petition; 12.5 acres; Planning Board and staff recommended denial.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): *Legacy* considers Suburban Neighborhoods appropriate for future urban or suburban development where much of the future residential, commercial and industrial development should occur. One of the goals of *Legacy* is to increase infill development within Suburban Neighborhoods in order to make the most efficient use of public investment in existing infrastructure. Infill development reduces pressure for development to sprawl into the rural areas of the County. *Legacy* calls for mixed use and a mix of housing types and affordability within neighborhoods. It also advocates for traditional neighborhood development.

Area Plan/Development Guide: Site is not within the boundaries of a development guide or an area plan.

INCORPORATED AREA COMMENTS

Incorporated Jurisdiction: Town of Walkertown (Tract Two, LO-S portion of request).

Expressed Concern: Although the Town of Walkertown has been contacted for comment, as of this writing Planning staff had not received comment.

ANALYSIS

The current request consists of two zoning petitions. The largest portion of the petition is a request to rezone 54.99 acres of RS-9, and a very small portion of RM-12, to RM-8-S (Planned Residential Development) to allow for a mixture of single family homes and multifamily townhomes. An existing transmission tower currently is located on the site. The smaller portion of the petition is to rezone 13 acres from RM-12 and RS-9 to LO-S (TWO PHASE) to allow a mixture of office, child day care center, and/or other uses. The RM-8-S portion of the site lies on the west and south sides of Rocky Branch Road. 83 single family lots are proposed on the north side of the road and 48 quadraplex townhome units are proposed to the south. The LO-S portion of the petition lies on the east side of Rocky Branch Road behind an existing shopping center which faces NC 66. The LO-S zoning portion of the request is also located at the western terminus of Poindexter Street which, according to the site plan, is proposed to connect to Rocky Branch Road to the west.

Because the property is located within the Salem Lake Water Supply Watershed (WS-III), single family residential development would ordinarily be limited to a minimum lot size of 20,000 sf regardless of the current RS-9 zoning. However, the developer has chosen to use the Planned Residential Development (Planned Residential Development) provision of the UDO which will allow impervious coverages for the entire site up to 24% thereby allowing for some greater flexibility for lot layout and unit densities. If both zoning requests are approved, the UDO would allow credit for pervious coverage amounts in the RM-8-S portion of the site to be transferred to the LO-S portion of the tract provided that the total maximum impervious for both tracts does not exceed 24%. The overall density of the RM-8-S portion of the petition approximately 2.38 units per acre.

Staff notes that for either tract to be developed in accordance with the site plan, public sewer must be brought to the area. Staff understands sewerage to the area is expected within one year.

Staff is generally supportive of larger scale mixed use developments, however staff is concerned that the location and layout of the proposed zoning and site plan elements is really more a loose collection of different uses than a deliberately planned mixed use development. Particularly given the uncertainty as to how sewer may effect adjacent properties, it is appropriate to consider the broader area surrounding the current site before determining how the subject 68-acre tract should develop. For example, HB-S zoned land located behind the shopping center and contiguous to the north property line of the LO-S portion of this petition, is currently being used as a septic drainfield for the commercial center. Currently zoned HB-S (TWO PHASE), this property may soon develop out with other commercial retail uses once sewer becomes available. Many internal and external street connections as well as other site plan and land use matters could be more comprehensively addressed if the current multiple use proposal were better coordinated with adjacent properties.

Of particular concern is the proposal to rezone property at the western terminus of Poindexter Street from RM-12 and RS-9 to LO-S. Three residential homes are currently located on the south side of the street which is decidedly residential in character. Although the north side of the street is zoned LO-S, it is also used as a drainfield for the LO-S medical offices which fronts Darrow Road and currently serves in its partially wooded condition as a vegetative buffer to commercial development farther north.

Additionally, staff is of the opinion that the townhouse component of the RM-8-S part of the project would be better served if it were located closer to existing and potentially new shopping along NC 66. As proposed it is located on the south side of Rocky Branch Road which is the farthest away. Although the petitioner cites topographic constraints for the location, staff believes that a physically closer relationship to the existing commercial shopping would be more in keeping with *Legacy* objectives to promote improved pedestrian connections to commercial areas. As presented, the proposed rezoning of both Tract One and Tract Two appears to be just a loose collection of uncoordinated uses rather than a deliberately planned and integrated development.

On this basis staff has recommended to the petitioner that he consider a continuance or temporary withdrawal of the current request to better coordinate his plans with adjacent commercial property owners and with staff recommendations. As of this writing, however, staff understands that the petitioner will likely move forward with the petition as submitted.

Municipal sewerage will likely be available to the area within one year. Without an opportunity to review the entire site in context with its surroundings staff believes that it would be, at best premature to recommend in favor of the petition as presented.

FINDINGS

1. The request consists of two zoning components: 1) 54.9 acres of RM-8-S (Planned Residential Development) to allow 83 single family lots and 48 quadraplex townhome units and 2), 13 acres of LO-S (TWO PHASE) to allow multiple office, child daycare and/or other uses.
2. The property is located within the Salem Lake watershed with a maximum impervious surface limitation of 24%.
3. Both tracts must have sewer to develop as proposed on the site plan.

4. Sewer to the area is likely within one year, and may allow rapid redevelopment of other tracts contiguous to the current request.
5. A more comprehensive approach to integrating this tract with the broader area is needed before staff can make positive recommendation on multiple uses for the current site.
6. Staff has specific concerns about the location and compatibility of the office and townhouse components of the current site plan and its appearance as just a loose collection of different uses than a deliberately planned development.
7. Staff recommends that the project be continued or temporarily withdrawn to allow for a more comprehensive study.

STAFF RECOMMENDATION

Zoning: Tract One: RM-8-S **DENIAL**.
 Tract Two: LO-S (TWO PHASE) **DENIAL**.

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions:

TRACT ONE (RM-8-S):

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
 - a. Limits of grading for townhouse portion of tract shall be cordoned off in the field.
 - b. Developer shall obtain a Watershed Permit from the Inspections Division.
 - c. After fifty percent (50%) build out of the RM-8-S portion of the development, developer shall provide impervious surface calculations to the Erosion Control Officer as required to insure that the twenty-four percent (24%) maximum impervious cover limitation is not exceeded.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
 - a. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show tentative building locations and all access and utility easements for townhouse portion of property.
 - b. Developer shall record with the final plat, homeowner association covenants, maintenance agreements, and ownership provisions for all areas held in common ownership.
 - c. Developer shall record negative access easements along all residential properties abutting Rocky Branch Road on final plat.
 - d. As volunteered by the petitioner, developer to complete an application for annexation into the Town of Walkertown prior to signing of final plats.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Developer shall install road improvements on Rocky Branch Road, NC 66, and Poindexter Street to Town of Walkertown and/or the North Carolina Department of Transportation requirements.

- **OTHER REQUIREMENTS**

- a. Signage for the RM-8-S single family residential portion of the project shall be limited to one (1) monument sign with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet at the entrance to the project on the north side of Rocky Branch Road.
- b. Signage for the RM-8-S townhouse portion of the project shall be limited to one (1) monument sign with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet at the entrance to the project on the south side of Rocky Branch Road.

TRACT TWO (LO-S - TWO PHASE):

- **GENERAL REQUIREMENTS**

- a.. The City-County Planning Board reserves the right to add any reasonable conditions to the Final Development Plans in accordance with UDO Section 6-2.2(D)(2)(b).

- **PRIOR TO GRADING PERMITS**

- a. Developer shall obtain a Watershed permit from the Inspections Division. Impervious surfaces shall not exceed twenty-four (24) percent.

- **OTHER REQUIREMENTS**

- a. Developer shall install a minimum thirty (30) foot wide with double the Type II bufferyard plantings.
- b. Signage to each parcel shall be limited to one monument sign with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.

PUBLIC HEARING

Tract One: from RS-9 and RM-12 to RM-8-S (Residential Building, Single Family; Residential Building, Townhouse; and Transmission Tower): property is located on the north and south sides of Rocky Branch Road west of Poindexter Street (Zoning Docket F-1366).

Tract Two: from RS-9 and RM-12 to LO-S (Museum or Art Gallery; Neighborhood Organization; Police or Fire Station; Recreation Facility, Public; Child Day Care Center; Governmental Offices; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office); property is located on the east side of Rocky Branch Road and at the western terminus of Poindexter Street (Zoning Docket F-1366).

Glenn Simmons presented the staff report.

PUBLIC HEARING

FOR:

Allen Bennett, 116 S. Cherry St. Kernersville, NC 27284

Staff suggested waiting until plans are in place for sewer and water. However, you have to take

plans as they come along.

This won't lend itself to residential when you put another street through here as proposed.

The topography on the townhome portion of this property is severe. If single family units were placed here, it would require much more severe grading and removal of considerably more vegetation.

The developers looked at changing the plan, but feel this is a better plan because it requires less grading and less removal of vegetation.

In staff recommendations, we ask for two signs for the single family portion because the two streets that enter this portion will house different types of houses.

We have no problem doing the stub street and would support making that portion of the street public, but request the rest of the street be private and maintained by the homeowners association.

Tom Southern, Mayor of Walkertown, 5180 New Street, Walkertown, NC 27050

I appreciate staff.

We've lost a lot of residents of Walkertown who wanted to be free of the yard work and maintenance and we didn't have townhome style housing for them. We feel this will provide housing so we'll keep some of those residents. However, these are primarily older people who won't walk far with groceries, etc, so the location of the townhouses is appropriate for our needs.

It would be nice to have houses which will help us financially by having higher property values and hence higher taxes. However, we're glad to have houses which will also attract young adults who are just starting out.

When Walkertown incorporated, we didn't annex undeveloped land.

AGAINST: None

WORK SESSION

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

SECOND: Philip Doyle

VOTE:

FOR: Avant, Bost, Clark , Doyle, Folan, King, Norwood, Powell

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Arnold King certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Bost, Clark , Doyle, Folan, King, Norwood, Powell

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of E. J. Holcomb, et al, Dorothy Holcomb, and Billy T. Disher and Frances Disher as of April 5, 2002.

A. Paul Norby, AICP
Director of Planning