



**DOCKET #:** F1376

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

**EXISTING ZONING:**  
RS9

**PETITIONER:**  
Furman Burt for property  
owned by others

**SCALE:** 1" represents 200'

**STAFF:** Roberts

**GMA:** Tract 1: 4  
Tract 2: 3

**ACRE(S):** Tract 1: 3.0  
Tract 2: 1.58

**MAP(S):** 654882



November 20, 2002

Furman Burt  
Realty Executives  
2501 Huntington Woods Drive  
Winston-Salem, NC 27103

RE: ZONING MAP AMENDMENT F-1376

Dear Mr. Burt:

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  
Gail J. Tilley, 5725 Suttan Lane, Kernersville, NC 27051  
Ivy J. Tuttle, et al, Box 838, Walkertown, NC 27051  
Richard E. Burton, Jr., 2540 Old Hollow Road, Walkertown, NC 27051  
Jeff Brinker, 4880 Harley Drive, Walkertown, NC 27051  
Ruby Dodson, 3812 Forrestgate Drive, Winston-Salem, NC 27103  
Dot Duggins, 3936 Justin Brook Lane, Walkertown, NC 27051  
Tom Southern, 5180 New Street, Walkertown, NC 27051  
Steve O'Ferrell, 4783 New Walkertown Road, Walkertown, NC 27051  
Sarah Welch, 4740 New Walkertown Road, Walkertown, NC 27051  
Robert Wilson, 2224 Wilson Dairy Road, Kernersville, 27284

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

**MEETING DATE:** \_\_\_\_\_ **AGENDA ITEM NUMBER:** \_\_\_\_\_

**SUBJECT:-**

Zoning map amendment of Furman Burt for property owned by Richard E. Burton, Jr., Ivey J. Tuttle, et al, Gail J. Tilley and Ruby Dodson

**COUNTY MANAGER-S RECOMMENDATION OR COMMENTS:-**

**SUMMARY OF INFORMATION:-**

- a. Public hearing on Zoning Map Amendment of Furman Burt for property owned by Richard E. Burton, Jr., Ivey J. Tuttle, et al, Gail J. Tilley and Ruby Dodson from RS-9 to HB-S [Convenience Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Car Wash; Banking and Financial Services; Retail Store, Specialty or Miscellaneous; and Offices, Miscellaneous - TWO PHASE] for two tracts of land as follows: Tract One: property is located on the southwest corner of US 311/New Walkertown Road and NC 66/Old Hollow Road; Tract Two: property is located on the southeast corner of US 311/New Walkertown Road and NC 66/Old Hollow Road. (Zoning Docket F-1376). After consideration, the Planning Board vote resulted in a tie.
- b. Ordinance amending the Forsyth County Zoning Ordinance and the Official Zoning Map of Forsyth County.
- c. Approval of Site Plan.
- d. Approval of Special Use District Permit.

**ATTACHMENTS:-**     YES             NO

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Furman Burt for property owned by Richard E. Burton, Jr., Ivey J. Tuttle, et al, Gail J. Tilley and Ruby Dodson, Docket F-1376

AN ORDINANCE AMENDING  
THE FORSYTH COUNTY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE COUNTY OF FORSYTH,  
NORTH CAROLINA

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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 HB-S [Convenience Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Car Wash; Banking and Financial Services; Retail Store, Specialty or Miscellaneous; and Offices, Miscellaneous - TWO PHASE] the zoning classification of the following described property:

Tax Block 3240, Lots 023, 024A, and 024B  
Tax Block 3241, Lots 009, 010, and 011

Section 2. This Ordinance is adopted after approval of the site plan entitled Furman Burt for property owned by others/J.H. Batten, Inc., and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to Furman Burt for property owned by Richard E. Burton, Jr., Ivey J. Tuttle, et al, Gail J. Tilley and Ruby Dodson.

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 Furman Burt for property owned by others/J.H. Batten, Inc.. 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 Furman Burt for property owned by Richard E. Burton, Jr., Ivey J. Tuttle, et al, Gail J. Tilley and Ruby Dodson (Zoning Docket F-1376). 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 HB-S [Convenience Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Car Wash; Banking and Financial Services; Retail Store, Specialty or Miscellaneous; and Offices, Miscellaneous - TWO PHASE], 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 HB-S zoning district 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 (HB-S - TWO PHASE):**

**? GENERAL REQUIREMENTS**

- a. No development activity shall take place on the property until a Final Development Plan is submitted and approved.
- b. 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).

- c. A Traffic Impact Study (TIS) may be required at the time of submittal for Final Development Plan.
- d. Development of more than 24 percent of the pervious area will require a Special Intense Development Allocation (SIDA) be approved by the County Commissioners.

? **PRIOR TO THE ISSUANCE OF GRADING PERMITS**

- a. Limits of grading shall be cordoned off in the field.
- b. Developer shall obtain a Watershed Permit from the Inspections Division.
- c. Developer shall obtain driveway permits from the North Carolina Department of Transportation.

? **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. Septic system must be approved by the Forsyth County Health Department if sewer is not available.

? **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

- a. Developer shall install road improvements including sidewalks along both street frontages of NC 66 and US 311 to the North Carolina Department of Transportation requirements.

? **OTHER REQUIREMENTS**

- a. Signage shall be limited to one monument sign with a maximum height of five (5) feet.

**TRACT TWO (HB-S - TWO PHASE):**

? **GENERAL REQUIREMENTS**

- a. No development activity shall take place on the property until a Final Development Plan is submitted and approved.
- b. 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).
- c. A Traffic Impact Study (TIS) may be required at the time of submittal for Final Development Plan.
- d. Development of more than 24 percent of the pervious area will require a Special Intense Development Allocation (SIDA) be approved by the County Commissioners.

? **PRIOR TO THE ISSUANCE OF GRADING PERMITS**

- a. Limits of grading shall be cordoned off in the field.
- b. Developer shall obtain a Watershed Permit from the Inspections Division.

- c. Developer shall obtain driveway permits from the North Carolina Department of Transportation.

? **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. Septic system must be approved by the Forsyth County Health Department if sewer is not available.

? **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

- a. Developer shall install road improvements including sidewalks along both street frontages of NC 66 and US 311 to the North Carolina Department of Transportation requirements.

? **OTHER REQUIREMENTS**

- a. Signage shall be limited to one monument sign with a maximum height of five (5) feet.



## ZONING STAFF REPORT

**DOCKET #** F-1376

**STAFF:** Gary Roberts

Petitioner(s): Furman Burt

Ownership: Richard E. Burton, Jr., Ivey J. Tuttle, et al, Gail J. Tilley and Ruby Dodson

### **REQUEST**

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

To: HB-S Highway Business District [Convenience Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Car Wash; Banking and Financial Services; Retail Store, Specialty or Miscellaneous; and Offices, Miscellaneous - 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: (southwest corner of US 311 and NC 66), ?1.62 acres; Tract Two: (southeast corner of US 311 and NC 66), ?3.0 acres

### **LOCATION**

Street: Southwest and Southeast corner of US 311 and NC 66.

Jurisdiction: Forsyth County (Predominantly within the town limits of Walkertown).

### **SITE PLAN**

Proposed Use: Convenience Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Car Wash; Banking and Financial Services; Retail Store, Specialty or Miscellaneous; and Offices, Miscellaneous.

Square Footage: Undetermined with TWO PHASE request.

Building Height: Undetermined with TWO PHASE request.

Parking: Required: Undetermined with TWO PHASE request.

Bufferyard Requirements: 15 foot type III adjacent to RS-9.

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

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

Existing Structures on Site: Two single family residential structures are located on Tract One and two on Tract Two.

Adjacent Uses:

- North -Single family residential zoned RS-9.
- East - Undeveloped property zoned RS-9 and small retail and service operations zoned HB-S and NB-S further east on Old Hollow Road.
- Southeast - Undeveloped property zoned RM-12.
- South -Single family residential and undeveloped property zoned RS-9.
- West -Undeveloped property zoned RS-9.

**GENERAL AREA**

Character/Maintenance: Well maintained single family residences at the intersection of two major thoroughfares.

Development Pace: Slow.

**PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Grading and substantial removal of vegetation should be anticipated with Final Development Plan.

Topography:

Tract One: There is an approximate change in elevation on the subject property (western parcel) of 28' (from an approximate elevation of 972' in the northeast down to an approximate elevation of 944' in the southwest).

Tract Two: There is an approximate change in elevation on the subject property (eastern parcel) of 30' (from an approximate elevation of 978' in the north down to an approximate elevation of 948' in the south).

Streams: Yes - on the eastern side of Tract Two there is a tributary to Lowery Mill Creek.

Vegetation/habitat: There is considerable existing vegetation on both Tract One and Tract Two.

Impact on off site environmental resources: The proposed two-phase rezoning request does not provide enough information regarding the future development of the site to determine environmental impacts (either on or off of the site).

Water Supply Watershed: The property is located within the Salem Lake (WS-III) Water Supply Watershed.

Compliance with Watershed Protection Regulations: Compliance with the applicable watershed regulations cannot be determined from the information provided. The applicant will be requesting a Special Intense Development Allocation (SIDA) from the Walkertown/Salem Lake Watershed SIDA reserve upon application for Final Development Plan approval. Information regarding additional jobs created, additional tax base created/generated and the percentage of undisturbed land area in trees or woody vegetation must also be disclosed for the proposed project as part of the SIDA review process. Engineered storm water controls must be utilized and the developer must demonstrate to the maximum extent practicable that they have minimized built upon surface area, directed storm water runoff away from surface waters and incorporated best management practices into their design to minimize water quality impacts.

## **TRANSPORTATION**

Direct Access to Site: Old Hollow Road/NC 66; New Walkertown Road/US 311.

Street Classification: Old Hollow Road - major thoroughfare; New Walkertown Road - major thoroughfare.

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

Old Hollow Road between Old Walkertown Road and New Walkertown Road = 10,000/16,100.

New Walkertown Road between Old Hollow Road and Williston Road = 3,500/16,100

Trip Generation/Existing Zoning: RS-9.

$4.7 \times 43,560/9,000 = 22 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 210 \text{ Trips per Day}$

Trip Generation/Proposed Zoning: HB-S.

Due to the broad number of high intensity uses and the lack of specificity regarding square footage, it not feasible to calculate a trip generation rate for this case. However, it should be noted that with these proposed uses, it is likely that a Traffic Impact Study, (TIS), will be required before any Final Development Plan approval is considered.

Sight Distance: Motorists traveling west on NC 66 will have limited visibility of traffic exiting Tract One.

Traffic Impact Study recommended: A TIS may be required at the Final Development Plan review stage.

Connectivity of street network: Staff recommends internal driveway stub connections to adjacent properties.

Sidewalks: None existing at this time, staff recommends sidewalks to be installed along both street frontages on Tract One and Tract Two.

Traffic Calming: None.

Transit: None.

Bike: None.

## **HISTORY**

Relevant Zoning Cases:

1. F-1366; RM-12 and RS-9 to 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 August 12, 2002; west, east and south sides of Rocky Branch Road, 900 feet southeast of current site; 68.01 acres; Planning Board recommended approval, staff recommended denial.

2. F-1349; RS-9 to NB-S (Residential Building, Single Family; Arts and Crafts Studio; Retail Store, Specialty or Miscellaneous; Professional Office; Services, Personal; and Government Offices); approved December 17, 2001; west side of Morris Street, south of NC 66 and 200 feet east of current site; 0.28 acre; Planning Board and staff recommended approval.
3. F-1292; RS-20 and LI to LI-S (Storage Services, Retail - TWO PHASE); approved April 24, 2000; south side of Old Walkertown Road and on the southwest side of Friendly Road at the intersection of the two roads, 600 feet north of current site; 2.58 acres; Planning Board recommended approval, staff recommended denial.
4. F-1211; RS-20 to PB-S (Motor Vehicle, Repair and Maintenance); approved February 9, 1999; southeast corner of Friendly Avenue and US 311, 900 feet northeast of current site; 0.34 acre; Planning Board recommended approval; staff recommended denial.
5. F-706; R-6 to B-3; denied August 27, 1984; southwest corner of NC 66 and Morris Street, 250 feet east of current site; 0.49 acre; Planning Board and staff recommended denial.

### **CONFORMITY TO PLANS**

GMP Area (*Legacy*): Tract One, Future Growth Area (GMA 4); Tract Two, Suburban Neighborhoods (GMA 3). New Walkertown Road is the dividing line between these two growth management areas.

Relevant Comprehensive Plan Recommendation(s): *Legacy* designates locations for Town Center and regional serving activity centers and says that other commercial development should be focused at compact mixed-use community and neighborhood activity centers that serve pedestrians as well as the automobile.

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

### **INCORPORATED AREA COMMENTS**

Incorporated Jurisdiction: Town of Walkertown.

Expressed Concern: Walkertown recommends approval.

### **ANALYSIS**

The subject request is to rezone the southwest and the southeast corners of US 311 and NC 66 from RS-9 to HB-S TWO PHASE. The properties, respectively known as Tract One and Tract Two, are located predominantly within the corporate limits of Walkertown. Tract One consists of 1.62 acres and is heavily wooded with the exception of two single family residential structures

located along the western and southern perimeters. The property slopes moderately downward to the west and is surrounded by other single family homes and undeveloped lots zoned RS-20 and RS-9.

Tract Two is likewise heavily wooded with two single family residential structures fronting on US 311. This site consists of 3 acres and slopes moderately downward to the south. The surrounding development pattern is low density, single family residential in character. However, 1.5 acres of undeveloped RM-12 property adjoin the southeastern edge of Tract Two. The specific uses requested for both tracts are Convenience Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Car Wash; Banking and Financial Services; Retail Store, Specialty or Miscellaneous; and Offices, Miscellaneous. A number of these uses could have negative impacts on adjacent properties, depending on how the site is designed.

The subject property is in the Salem Lake water supply watershed, WS III. The maximum impervious coverage allowed is 24 percent. However, with the use of a SIDA, up to 70 percent of the site can be covered with impervious surfaces provided engineered controls are put in place. SIDAs are granted by the local governing body when certain criteria as specified in UDO Section 3-5.4 (c) are addressed. These criteria pertain to conformance with the comprehensive plan; provision of a significant economic benefit; minimized impact to the environment etc. Due to the lack of information regarding such criteria, the SIDA review cannot take place until the Final Development Plan is submitted.

Similarly, the traffic implications and required improvements are unknown at this time due to the petition's lack of specificity. While the intensity of the requested uses could easily warrant a Traffic Impact Study (TIS) at this time, because no square footages are given, this will also need to be addressed at the Final Development Plan stage. It should also be noted that doing a Traffic Impact Study after the basic zoning decision is already made could produce an awkward situation if at the Final Development Plan stage, the Traffic Impact Study indicates significant traffic impacts.

Walkertown is at an important crossroads in regard to its future development pattern and overall community character. The forthcoming availability of sanitary sewer is already resulting in a growing number of proposals for new development. Decisions made today regarding land use, transportation, signage, building orientation, tree plantings, sidewalks etc. will shape the town's future for decades to come. Currently there is no area plan or development guide in place for the Walkertown area. Such a document would provide decision makers with more specific guidance in the above mentioned areas of community planning.

HB-S zoning at the intersection of two major thoroughfares became a standard development practice with the growth of the auto oriented society. Uses which require and generate high volumes of vehicular traffic naturally gravitate to such locations. However, such activity often comes with a price in the form of negative effects on adjacent residential properties, degraded community appearance, and increased traffic accidents and congestion. Should the subject properties be rezoned to HB-S, there would be some precedent for also extending similar

commercial zoning to the two northern quadrants of this intersection. As the existing residential character of the area changes, the typical pattern would result in US 311 and NC 66 being widened to three or five lane sections as the remaining single family residences, fronting along these two roadways, undergo a piecemeal conversion to strip commercial development with multiple signs and driveway cuts. While the above mentioned scenario is not always inevitable, staff sees little within the subject request to provide an alternative.

Staff does not accept the notion that such corner properties must inevitably become commercialized in a conventional fashion. A well designed row of attached housing or limited offices which preserve the front tree buffer and place the parking to the rear of the buildings, would for instance, generate less traffic impact and provide a more stabilizing effect on the surrounding residential properties. Alternatively, a larger scale proposal which provides for a more integrated mixed use development including some commercial may be an alternative.

*Legacy* identifies Walkertown's Town Center as being located in the Main Street/Friendly Road vicinity. Approval of highway business instead at the subject location would contribute to sprawl and further dilute the potential of the core area developing into a vibrant village center. *Legacy* also recommends a Metro Activity Center at the proposed future interchange of the Northern Beltway and New Walkertown Road, but that is 1.5 miles south of the subject property.

Other concerns with the subject request include: limited visibility for westbound traffic on NC 66 of motorists who may be exiting the western most portion of Tract One; the relatively large amount of existing commercial property within Walkertown which is now underused or vacant; and the need to consolidate access, with undeveloped parcels adjacent to these tracts.

Considering the absence of an area plan and the lack of a site plan leaving in question the undetermined variables associated with the SIDA and TIS, Planning staff views the petition as premature and contributing to a disjointed, incremented development pattern in Walkertown.

## **FINDINGS**

1. *Legacy* promotes the preservation of neighborhoods and encourages compact pedestrian oriented mixed use development at Town Center locations.
2. Site is not within the boundaries of an area plan or development guide.
3. Proposal in its present form does not provide a site plan showing how the property would be developed.
4. Subject HB-S petition would undermine the stability of surrounding single family residences.
5. Subject HB-S petition would contribute to strip commercial development along both US 311 and NC 66.

6. Substantial amount of existing underused and vacant commercially zoned property currently available in Walkertown.

**STAFF RECOMMENDATION**

Zoning: **DENIAL**.

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

**TRACT ONE (HB-S - TWO PHASE):**

**? GENERAL REQUIREMENTS**

- a. No development activity shall take place on the property until a Final Development Plan is submitted and approved.
- b. 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).
- c. A Traffic Impact Study (TIS) may be required at the time of submittal for Final Development Plan.
- d. Development of more than 24 percent of the pervious area will require a Special Intense Development Allocation (SIDA) be approved by the County Commissioners.

**? PRIOR TO THE ISSUANCE OF GRADING PERMITS**

- a. Limits of grading shall be cordoned off in the field.
- b. Developer shall obtain a Watershed Permit from the Inspections Division.
- c. Developer shall obtain driveway permits from the North Carolina Department of Transportation.

**? PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. Septic system must be approved by the Forsyth County Health Department.

**? PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

- a. Developer shall install road improvements including sidewalks along both street frontages of NC 66 and US 311 to the North Carolina Department of Transportation requirements.

**? OTHER REQUIREMENTS**

- a. Signage shall be limited to one monument sign with a maximum height of five (5) feet.

**TRACT TWO (HB-S - TWO PHASE):**

**? GENERAL REQUIREMENTS**

- a. No development activity shall take place on the property until a Final Development Plan is submitted and approved.
- b. 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).
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- a. Developer shall install road improvements including sidewalks along both street frontages of NC 66 and US 311 to the North Carolina Department of Transportation requirements.

**? OTHER REQUIREMENTS**

- a. Signage shall be limited to one monument sign with a maximum height of five (5) feet.

Gary Roberts presented the staff report.

**PUBLIC HEARING**

FOR:

Dot Duggins, Council member for the Town of Walkertown, 3936 Justin Brook Lane,  
Walkertown, NC 27051

We are working on a development plan for our town.



Distributed printouts of GMAs for *Legacy*.

We only have two significant highway intersections in Walkertown. These are the locations where development will occur. The other intersection is already under plans for development.

I encourage you to pass this today.

Tom Southern, 5180 New Street, Walkertown, NC 27051

We are working diligently on developing a land use plan for Walkertown. If we had a land use plan, this intersection would clearly be designated for some type business use.

The owners have tried to market the property as residential property over several years. They have been unsuccessful.

We would do our best to make the development attractive and beneficial to the neighborhood.

Walkertown has had so few businesses in the past that our revenue base is very low. We need more businesses to increase the tax base.

This property will not be developed without public sewer.

It is our recommendation that the first phase be approved to change the zoning to Highway Business. We'll see what comes forth and then we'll do our best to make sure it's something that's in the best interest of all the citizens of Walkertown and especially the immediate neighbors.

Jeff Brinker, 2502 Boone Avenue, Winston-Salem

We also have a resolution which the Walkertown Council has approved supporting this rezoning request.

AGAINST:

Steven O'Ferrell, 4783 New Walkertown Road, Winston-Salem, NC 27051

If this proposal goes through, I will have a business behind me, beside me, and across the road from me.

Traffic is a problem even without development here.

The City of Walkertown is for business only; they aren't for residents. But why tear up a neighborhood just to sell property.

Request a non-partisan board review this.

Request a water study.

Sarah Welch, 4740 New Walkertown Road, Walkertown, NC 27051

Submitted letter stating opposition (copy on file).

I was at the Town Meeting the other day. There was nothing on the agenda about the rezoning of this area, but they did discuss it and vote on it. I find that objectionable.

Submitted petition with 35 signatures in opposition.

Robert Wilson, 2224 Wilson Dairy Road, Kernersville, NC 27284

I represent my church, which owns a lot next to this site. We were going to build a parsonage there.

This is all residential. Why are they coming down here and making it out like this intersection is something great? To take away all this residential property.

I hope you will consider that they are wiping out a residential area for a little bit of money.

This is a residential area and I oppose strongly that Walkertown voted on this at the meeting we attended when it wasn't on the agenda. I went to speak, saw it wasn't on the agenda and left. Then they went and voted on it.

### **WORK SESSION**

During discussion by the Planning Board, the following points were made:

1. Kerry Avant explained that TWO PHASE rezoning means many concerns are addressed during the second review phase of this request. At that time, specific plans will be available showing what is proposed for development. Such things as storm water control are addressed at that point.
2. There are HB zoned lots in Walkertown. However, they are not being sold because of the lack of sewer availability, the size of the lots, and the location of many of them is behind shopping centers or in swampy land.
3. Philip Doyle - This intersection is very busy. It's going to get a lot busier. HB is appropriate anywhere around here. It may be a long time before it actually comes to fruition. We proactively rezone areas all the time with business parks. Where the rubber meets the road is with the site plan. If the petitioners want to give Pete Rodda a few minutes work to redesignate their land as more valuable and be taxed appropriately, it's kinda no harm, no foul until the site plan gets here. For an intersection like that we've got a lot of experience with Country Club/Peace Haven and Robinhood/Peace Haven and a lot of other places where getting the site plan to pass muster is the hard part. Where you're going to need a five-lane all directional facility. There might not even be enough land in that right now to make it work. There might need to be a lot more assemblage to actually make a supportable facility work. It might not work at all.
4. Kerry Avant - TWO PHASE makes sense a lot of times just because of the expense one has to go to before they get to that point and TWO PHASE does allow you to know that you have the zoning.
5. Paul Norby - While there is much room for discussion about the details of the site plan, what you all are doing if the rezoning is approved is indicating that these range of uses is appropriate for this property. Given the configuration of this piece

of property and its frontage on the roads, staff is concerned that we need to see a more detailed plan before we determine if these uses will work on this site. We very much agree that this is a major intersection and there will be more intense development activity. We are concerned about the need to see an arrangement that helps the traffic work. We think the timing is premature to do this until a configuration of property is put together that makes more sense or a plan with much more detail is presented.

6. Dara Folan - This proposal has too many open issues. The proposal does not provide a site plan showing how the property would be developed. I believe approving this petition would contribute to strip commercial development along these two highways. There are also too many undetermined variables associated with the SIDA and Transportation Impact Study, and a substantial amount of unused commercial property currently is available in Walkertown.

MOTION: Philip Doyle moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Arnold King.

VOTE:

FOR: Avant, Bost, Doyle, King

AGAINST: Clark, Folan, Glenn, Powell

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Richard E. Burton, Jr., Ivey J. Tuttle, et al, Gail J. Tilley and Ruby Dodson as of October 9, 2002.

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A. Paul Norby, AICP