



(Continued from the 12-09-99,
01-13-00 & 02-10-00 CCPB Mtgs.)

DOCKET #: F1280

PROPOSED ZONING:
LB

EXISTING ZONING:
RS20

PETITIONER:
Samuel A. Gilley,
Lynda D. Gilley,
Nancy Streetman,
Michael Wilson,
and Melissa Wilson

SCALE: 1" represents 200'

STAFF: L. Weston

GMA: 4B

ACRE(S): 1.68

MAP(S): 690822

DRAFT ZONING STAFF REPORT

DOCKET # F-1280
STAFF Larry F. Weston

Petitioner(s): Samuel A. Gilley and Others
Ownership: Same

CONTINUANCE HISTORY

This petition was initially before the Planning Board at its December 9, 1999, meeting. It was continued to February 10, 2000, and subsequently to March 9, 2000, to allow time for preparation of a site plan and resubmission as a special use district petition. The petitioner was unable to complete work on the site plan prior to the regular submission deadline, and therefore does not allow the Planning Board to act on the petition within the 120-day period required by the UDO. The staff has recommended that the petitioner withdraw this petition and resubmit at the earliest possible submission date.

REQUEST

From: RS-20 Residential Single Family District; minimum lot size 20,000 sf
To: LB Limited Business 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: 1.68 acres

LOCATION

Street: South side of North Main Street southwest of Skeet Club Road and near the High Point City Limits. Site is also located just northwest of the Forsyth County/Guilford County line and north of the Davidson County line.

Jurisdiction: Forsyth County.

PROPERTY SITE/IMMEDIATE AND GENERAL AREA

Existing Structures on Site and General Character of Surrounding Area: There are two existing conventional single family homes and one double-wide manufactured home on the site.

Adjacent Uses:

- North - Garden center zoned HB across North Main Street.
- East - Vacant property zoned RS-20.
- South - Vacant land zoned RS-20 and homes in Davidson County.
- West - Vacant land and a single family home zoned RS-20.

TRANSPORTATION

Direct Access to Site: North Main Street (High Point).

Street Classification: Major thoroughfare.

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

There are no counts available. Capacity is 11,500.

Planned Road Improvements: None.

Transit: None.

Bike Route: County Bike Route 24.

HISTORY

1. F-1268; HB and RS-20 to HB; approved September 13, 1999; 8.21 acres; property located directly across North Main Street from subject property; Planning Board and staff recommended approval.
2. F-487; R-6 to B-3 (converted to HB in UDO); approved December 4, 1978; 1.0 acre; property was located on the south side of North Main Street at the Forsyth County/Guilford County line; Planning Board and staff recommended approval.
3. F-460; R-6 to B-3 (converted to HB in UDO); approved February 14, 1978; 1.0 acre; property was located on the south side of North Main Street at the Forsyth County/Guilford County line and directly beside the zoning case in 1. above; Planning Board and staff recommended approval.
4. F-428; R-6 to B-3; withdrawn October 4, 1976; 16.0 acres; property was located on the west side of Skeet Club Road north of North Main Street and just west of the Forsyth County/Guilford County line; Planning Board and staff recommended denial.
5. F-196; R-6 to B-3; denied June 21, 1971; 7.5 acres; property was located on the north side of North Main Street north and west of the current petitioned site and consisted of a manufactured home park; Planning Board and staff recommended denial.
6. F-34; R-6 to B-3 (converted to HB in UDO); approved January 1, 1968; 1.5 acres; property was located on both sides of North Main Street at the Forsyth County/Guilford County line next to zoning cases 1. and 2. above; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Area 4B: Long-Range Growth.

Relevant Comprehensive Plan Recommendation(s): Staging of development with the provision of roads, sewers and other services; clustered commercial service areas; local convenience stores, farm supply stores, and certain other rural serving commercial development are the only commercial uses encouraged in these areas (GMP Area 4B); areas of future highway commercial development should be limited in length and separated from other highway commercial uses by transition areas; only commercial uses requiring high accessibility or otherwise unsuited for shopping center style development should be allowed to locate in a linear fashion.

Area Plan/Development Guide: This site is located within the *Horneytown Area Plan* which has been adopted by both High Point and Forsyth County. The Projected Land Use Plan identifies that all of this zoning lot is recommended for "higher intensity residential" zoning.

ANALYSIS

The request is to rezone a 1.68 acre tract of land from RS-20 to HB. The site is currently developed with two single family homes and a manufactured home. Approval of a general use Limited Business District would extend commercial uses further up North Main Street on the south side of the road.

Since residential uses are not permitted in business zoning districts, the property would not permit further residential development if the rezoning is approved, but would allow continued use of the current homes there in a legally non-conforming status.

There is a mixture of existing land uses along this section of North Main Street. These uses include businesses, nursing home, a church, and scattered single family homes. At this location and westward, single family residences are the prevailing land use. Expanding commercial zoning to this property would create the prospect of the removal of the existing homes on the site, and would extend business activity along the south side of High Point Road. Currently Forsyth County business zoning ends on the east side of High Point's Public Institutional (PI) zoning district. While there is some expectation that the Highway Business (HB) zoning on the north side of High Point Road will stimulate intensification of business in this area, it should be noted that the HB use there is a relative low intensity use — a garden center — and has been in existence for a number of years.

This site is located within the *Horneytown Area Plan* which has been adopted by both High Point and Forsyth County. The Projected Land Use Plan identifies that all of this zoning lot is recommended for "higher intensity residential" zoning. High Point planning officials were consulted regarding the petition, and have not indicated any reasons why the approved plan should be reevaluated. Forsyth County would not provide sewer services to the site. Business uses at this location would have to be served by the High Point City sewer system.

The site is located in Growth Management Area 4B: Long Range Growth. *Vision 2005* recommends staging growth with highway and other infrastructure development, and the clustering of commercial services. The property's current moderate density residential zoning is more consistent with these recommendations.

FINDINGS

1. This rezoning is inconsistent with the recommendations of *Vision 2005*.
2. This rezoning is not consistent with the recommendations in the *Horneytown Area Plan*.
3. Rezoning this parcel to LB might encourage further commercialization of a portion of High Point Road that is currently residential.
4. The project site still has viability for development as single family residential property (under current RS-20 district zoning) or as higher intensity residential zoning per the *Horneytown Area Plan*.

STAFF RECOMMENDATION

Zoning: **DENIAL**.

[*For information only:* The site is located in the Future Growth Area of the Forsyth County Growth Management Plan. Because of the potential to efficiently serve these areas by sewer and other services in the future, the Future Growth Area is expected to eventually urbanize. The timing of development in these areas is very important; the municipal services area (currently served by sewer and other services) should receive most new development and public facilities should be available to support more urban development.]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: James Rousseau moved withdrawal of the zoning map amendment.

SECOND: John Bost

VOTE:

FOR: Avant, Bost, Johnson, Powell, Rousseau, Schroeder, Williams

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning