



**DOCKET #:** F1292

**PROPOSED ZONING:**  
LI-S (Storage Services,  
Retail - TWO PHASE)

**EXISTING ZONING:**  
RS20 and LI

**PETITIONER:**  
Randy E. Mendenhall,  
Karen S. Mendenhall,  
David H. Batten,  
and Caprice B. Batten

**SCALE:** 1" represents 200'

**STAFF:** D. Reed

**GMA:** 3 (Walkertown)

**ACRE(S):** 2.58

**MAP(S):** 654882

March 22, 2000

Randy E. Mendenhall, Karen S. Mendenhall,  
David H. Batten, and Caprice B. Batten  
4920 Harley Drive  
Walkertown, NC 27051

RE: ZONING MAP AMENDMENT F-1292

Dear Sirs/Ma'ams:

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  
Mayor Tom Southern, P. O. Box 39, Walkertown, NC 27051  
Craig Murphy, 2425 Dogwood Drive, East Bend, NC 27018  
Brandon Mendenhall, 4505 Camelia Lane, Walkertown, NC 27051  
Dewey B. Edwards, III, 5030 Friendly Road, Greensboro, NC 27051

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

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

**SUBJECT:-**

Zoning map amendment of Randy E. Mendenhall, Karen S. Mendenhall, David H. Batten, and Caprice B. Batten

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

**SUMMARY OF INFORMATION:-**

Zoning map amendment of Randy E. Mendenhall, Karen S. Mendenhall, David H. Batten, and Caprice B. Batten from RS-20 and LI to LI-S (Storage Services, Retail - TWO PHASE): property is located on the south side of Old Walkertown Road and on the southwest side of Friendly Road at the intersection of the two roads (Zoning Docket F-1292).

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

**ATTACHMENTS:-**     YES         NO

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

\_\_\_\_\_

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Randy E. Mendenhall, Karen S. Mendenhall, David H. Batten, and Capriecce B. Batten, Docket F-1292

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-20 and LI to LI-S (Storage Services, Retail - TWO PHASE) the zoning classification of the following described property:

Beginning at an existing iron pipe in the south right-of-way of Harley Drive (S. R. #1998); said existing iron pipe being the northeast corner of Ruby M. Mustin property and said property also being known as Tax Lot 5, Block 2269. Thence along the southern right-of-way line of Harley Drive north 75E east 293 feet to a point, said point being on the southern right-of-way of Friendly Road (S. R. #1999). Thence with the southern right-of-way of Friendly Road south 65E 21' east 83.63 feet to a point. Thence leaving the southern right-of-way of Friendly Road and going the five following bearings and distances: south 15E 54' 20" west 270 feet; thence north 65E 00' 00" west 150 feet; thence north 15E 20' 30" east 40 feet; thence south 59E 37' 39" west 95 feet; thence north 24E 45' 07" west 173.87 feet to the point and place of beginning. Tax Lot 113, Block 2150 and a portion of Tax Lot 101, Block 2269. Containing 2.58 acres.

Section 2. This Ordinance is adopted after approval of the site plan entitled Randy E. Mendenhall, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ to Randy E. Mendenhall, Karen S. Mendenhall, David H. Batten, and Capriecce B. Batten.

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 Randy E. Mendenhall. 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 Randy E. Mendenhall, Karen S. Mendenhall, David H. Batten, and Caprice B. Batten (Zoning Docket F-1292). 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 LI-S (Storage Services, Retail - TWO PHASE), approved by the Forsyth County Board of Commissioners the \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_" and signed, provided the property is developed in accordance with requirements of the LI-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:

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

- a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
- b. This property lies within the Salem Lake WS-III State Regulated Watershed. Developer shall obtain a Watershed permit from the Erosion Control Officer.

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

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

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

- a. All required storm water management devices shall be installed.
- b. Developer shall install a ten (10) foot streetyard along the frontage of the property on Main Street. All other required interior parking lot landscaping shall also be installed either inside the new parking areas or on the perimeter of the parking lot areas as shown on the site plan.
- c. Chainlink fencing located to the front and side of the property shall be black vinyl coated and shall be installed behind streetyard landscaping as shown on the approved site plan.
- d. All required storm water management devices shall be installed.

**C OTHER REQUIREMENTS**

- a. Any signage erected along Harley Drive shall be limited to one (1) free-standing monument sign with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.

## **ZONING STAFF REPORT**

**DOCKET #** F-1292  
**STAFF:** David Reed

Petitioner(s): Randy E. Mendenhall, Karen S. Mendenhall, David H. Batten, and Capriecce B. Batten  
Ownership: Same

### **REQUEST**

From: RS-20 Residential Single Family District; minimum lot size 20,000 sf and LI Limited Industrial District  
To: LI-S Limited Industrial District (Storage Services, Retail)

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

Acreage: 2.58 acres

### **LOCATION**

Street: South side of Old Walkertown Road and on the southwest side of Friendly Road at the intersection of the two roads.  
Jurisdiction: Forsyth County (Walkertown).

### **SITE PLAN**

Proposed Use: Storage Services, Retail.  
Square Footage: 8,000 square feet.  
Building Height: 12 feet.  
Parking: Six spaces required and provided.  
Bufferyard Requirements: A type IV bufferyard is required adjacent to RS-20 zoning.  
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

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

Existing Structures on Site: One single family home (to be removed).

Adjacent Uses:

North -	Norfolk and Southern Railroad and single family homes.
East -	Single family homes.
South -	Vacant land zoned LI and RS-20.
West -	Single family homes.



## **GENERAL AREA**

Character/Maintenance: Moderately well maintained single family homes and vacant land.  
Development Pace: Slow.

## **PHYSICAL FEATURES**

Topography: Site slopes down slightly to the southwest.  
Vegetation/habitat: Site is partially wooded.  
Constraints: Site lies within the boundaries of the Salem Lake Watershed which is a WS III watershed.  
Impact on Existing Features: Minor.

## **TRANSPORTATION**

Direct Access to Site: Harley Drive and Friendly Drive.  
Street Classification: Collector Streets.  
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day): Not available.  
Trip Generation/Existing Zoning: RS-20:  $112,472/20,000 = 5$  lots  $\times 9.55 = 48$  new trips  
Trip Generation/Proposed Zoning: LI-S:  $8,000/1,000 = 8 \times 2.50$  trip rate = 20 new trips  
Planned Road Improvements:  
Sight Distance: Poor at proposed driveway location.  
Interior Streets: Private.  
Transit: Transit is not available at this time. Bicycle Route 18 runs along Friendly Drive and Harley Drive.

## **HISTORY**

Relevant Zoning Cases:

1. F-1211; RS-20 to PB-S (Motor Vehicle, Repair and Maintenance); approved February 9, 1998; southeast corner of New Walkertown Road, Friendly Road and Morris Street (Walkertown); 0.74 acre; Planning Board and staff recommended denial.
2. F-873; R-6 to B-3; approved February 22, 1988; southwest corner of Harley Drive and US 311; 0.5 acre; Planning Board recommended approval, staff recommended denial.
3. F-1038; R-6 to I-2; approved October 26, 1992; southeast side of Harley Drive west of Friendly Road; 0.64 acre; Planning Board and staff recommended approval.

## **CONFORMITY TO PLANS**

GMP Area (*Vision 2005*): Area 3: Urban.

Relevant Comprehensive Plan Recommendation(s): The plan recognizes the need for good industrial sites served by sewer and good roads. One of the recommendations in the plan is to provide compatibility between industrial uses and neighboring commercial and residential uses.

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

Other (including plans of other agencies): This site lies within the Salem Lake water supply watershed. The maximum impervious coverage allowed is 24 percent or the existing coverage, whichever is greater.

### **INCORPORATED AREA COMMENTS**

Incorporated Jurisdiction: Town of Walkertown.

Expressed Concern: The town has been notified of the rezoning and may have comments for the Planning Board public hearing.

### **ANALYSIS**

The subject site lies within the municipal limits of Walkertown. The site is zoned RS-20 in part and LI in part. The neighborhood has a mixture of zoning districts but is primarily residential in character near the site. Across Harley Drive to the north is the Norfolk and Southern Railroad. The site is in the Salem Lake water supply watershed. The maximum impervious coverage allowed is 24 percent or the existing coverage, whichever is greater.

*Vision 2005* recognizes the need for good industrial sites served by sewer and good roads. Walkertown does not currently have sewer; however, the Town is working on a proposal to extend gravity sewer into the municipal limits. One of the recommendations in *Vision 2005* is to provide compatibility between industrial uses and neighboring residential uses. There is little separation or buffering between the subject site and the homes on Friendly Road.

Staff has consistently recommended against piecemeal rezonings in this area. Incremental zoning has a clear history of culminating in a development pattern that is visually unappealing and dangerous from a traffic standpoint. Staff is of the opinion that there is already vacant land in the area zoned LI which could be utilized for the proposed use and the approval of the subject petition will further diminish the residential character in the area.

In addition, the current LI zoning of the rear portion of the project site as well as the LI portion of the lots to the east appear inconsistent with the existing surrounding residential uses. RS-20 zoning appears more in line with actual uses.

### **FINDINGS**

1. The subject site lies within the municipal limits of Walkertown. The site is zoned RS-20 in part and LI in part.

2. The site is in the Salem Lake water supply watershed. The maximum impervious coverage allowed is 24 percent or the existing coverage, whichever is greater.
3. *Vision 2005* recognizes the need for good industrial sites served by sewer as well as the need for compatibility between industrial and residential uses. The proposed petition does not meet these needs.
4. Staff has consistently recommended against piecemeal rezonings in this area.
5. Staff is of the opinion that there is already vacant land in the area zoned LI which could be utilized for the proposed use and the approval of the subject petition will further diminish the residential character in the area.

**STAFF RECOMMENDATION**

Zoning: **DENIAL**.

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

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

- a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
- b. This property lies within the Salem Lake WS-III State Regulated Watershed. Developer shall obtain a Watershed permit from the Erosion Control Officer.

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

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

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

- a. All required storm water management devices shall be installed.
- b. Developer shall install a ten (10) foot streetyard along the frontage of the property on Main Street. All other required interior parking lot landscaping shall also be installed either inside the new parking areas or on the perimeter of the parking lot areas as shown on the site plan.
- c. Chainlink fencing located to the front and side of the property shall be black vinyl coated and shall be installed behind streetyard landscaping as shown on the approved site plan.
- d. All required storm water management devices shall be installed.

**C OTHER REQUIREMENTS**

- a. Any signage erected along Harley Drive shall be limited to one (1) free-standing monument sign with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.

[For information purposes only: The draft *Legacy* plan advocates the mixing of uses on as fine a grain as the community will allow.]

David Reed presented the staff report.

## **PUBLIC HEARING**

FOR:

Mayor Tom Southern, P. O. Box 39, Walkertown, NC 27051

Appreciate chance to share some thoughts. Appreciate working with Planning staff and the good relationship we have.

Duke Power has a small substation here which may have impacted the existing LI zoning designation.

We are at the "engineering the sewer" stage in Walkertown and hope within a few years we will begin implementing a plan.

This lot was run down and overgrown. At this point, we are pleased to have it cleaned up. We don't feel it will be detrimental to the neighbors.

We've had no opposition.

The feeling of the Council was that it would generate some revenue, clean up an eyesore, and be of more benefit to us if rezoned.

There's no indication that this would ever be residential.

I believe when we add water and sewer, this area is likely to develop in a more intense manner than residential land. We do not believe it will develop as retail property.

We don't see this as piecemeal. It's the first step in a pattern which will come about.

Craig Murphy, 2425 Dogwood Drive, East Bend, NC 27018

Helped with site plan.

This land use will not require sewer.

Brandon Mendenhall, 4505 Camelia Lane, Walkertown, NC 27051

This is my property and the back half is not doing me any good because I don't have access to use it.

Most of the houses in this area have right much age on them.

Parts of the structure on this site are over a hundred years old.

With storage facilities, there won't be a lot of traffic.

The neighbor to our right is looking forward to the improvements.

AGAINST:

Dewey B. Edwards, III, 5030 Friendly Road, Greensboro, NC 27051

I'm concerned about this use. This lot does need to be cleaned up, but I am concerned about these plans for storage units. There has to be a better use for this site.

I am the person mentioned as living next door.

I'm concerned about what this change will do to my property. Maybe something better than storage units can be done with this site.  
I'm concerned about more noise and traffic. We bought this house because it was quiet.

### **WORK SESSION**

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

1. Norman Williams noted that storage services is probably one of the quietest uses possible. This shouldn't create much traffic.
2. Kem Schroeder said that the site plan does have phase two for the back portion.
3. Steve Snelgrove stated that he'd love to see something more thoughtfully planned for this site.
4. No calls were received in opposition to this request.

MOTION: Kerry Avant moved approval of the zoning map amendment.

SECOND: Steve Johnson

VOTE:

FOR: Avant, Bost, Johnson, Rousseau, Williams

AGAINST: Powell, Schroeder, Snelgrove

EXCUSED: None

MOTION: Kerry Avant certifies that the site plan meets all code requirements.

SECOND: Steve Johnson

VOTE:

FOR: Avant, Bost, Johnson, Rousseau, Williams

AGAINST: Powell, Schroeder, Snelgrove

EXCUSED: None

According to information provided by the Office of the Tax Assessor, the subject property was in the name of Randy E. Mendenhall, Karen S. Mendenhall, David H. Batten, and Caprice B. Batten as of January 3, 2000.

---

A. Paul Norby, AICP  
Director of Planning