



DOCKET #: F1299

PROPOSED ZONING:
 HB-S (Services, Personal;
 Services, Business B; and
 Nursery Lawn and Garden
 Supply)

EXISTING ZONING:
 RS20

PETITIONER:
 Michael Wilson, Melissa
 Wilson and Nancy Streetman

SCALE: 1" represents 200'

STAFF: L. Weston

GMA: 4B

ACRE(S): 1.22

MAP(S): 690822

April 19, 2000

Mike & Melissa Wilson
3811 North Main Street
High Point, NC 27265-1125

RE: ZONING MAP AMENDMENT F-1299

Dear Mr. & Mrs. Wilson:

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
Nancy C. Streetman, 3815 N. Main Street, High Point, NC 27265-1125

FORSYTH COUNTY
BOARD OF COMMISSIONERS

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

SUBJECT:-

Zoning map amendment of Michael Wilson, Melissa Wilson, and Nancy Streetman

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning map amendment of Michael Wilson, Melissa Wilson and Nancy Streetman from RS-20 to HB-S (Services, Personal; Services, Business B; and Nursery, Lawn and Garden Supply Store, Retail): property is located on the southwest side of North Main Street, west of Skeet Club Road near the High Point City Limits (Zoning Docket F-1299).

After consideration, the Planning Board recommended approval of the zoning map amendment.

ATTACHMENTS:- X YES ___ NO

SIGNATURE: _____ **DATE:** _____

COUNTY ORDINANCE - SPECIAL USE

Zoning Map Amendment of Michael Wilson, Melissa Wilson, and Nancy Streetman, Docket F-1299

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 to HB-S (Services, Personal; Services, Business B; and Nursery, Lawn and Garden Supply Store, Retail) the zoning classification of the following described property:

As shown on the Forsyth County Tax Maps, Abbotts Creek Township as described below:

BEGINNING at iron stake at US Highway 311 which marks the northeast corner of Fred Hedgecock's lot and then runs north along said road 280.00 feet to an old iron stake in the south right-of-way line of said road then west 205.00 feet to a point thence south 100.00 feet to an iron stake then east 5.00 feet to an iron stake then south 198.00 feet to an iron stake thence east 176.00 feet to the point of beginning. Tax Block 5610, Tax Lots 57 and 58A.

Section 2. This Ordinance is adopted after approval of the site plan entitled Michael and Melissa Wilson and Nancy Streetman, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 19____ to Michael Wilson, Melissa Wilson, and Nancy Streetman.

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 Michael and Melissa Wilson and Nancy Streetman. 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 map amendment of Michael Wilson, Melissa Wilson, and Nancy Streetman (Zoning Docket F-1299). 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 (Services, Personal; Services, Business B; and Nursery, Lawn and Garden Supply Store, Retail), 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 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:

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS

- a. Type III bufferyard shall be installed as shown on the site plan. Any necessary waivers will be obtained prior to obtaining certificate of occupancy.
- b. Driveway permit shall be issued by the North Carolina Department of Transportation.

ZONING STAFF REPORT

DOCKET # F-1299
STAFF: Larry Weston

Petitioner(s): Michael Wilson, Melissa Wilson, and Nancy Streetman
Ownership: Same

REQUEST

From: RS-20 Residential Single Family District; minimum lot size 20,000 sf
To: HB-S Highway Business District (Services, Personal; Services, Business B; and Nursery, Lawn and Garden Supply Store, Retail)

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

Acreage: 1.25 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.

SITE PLAN

Proposed Uses: Services, Personal; Services, Business B; and Nursery, Lawn and Garden Supply Store, Retail.

Square Footage: 3,860 sf total.

Building Height: The existing one-story buildings and two-story frame garage will be used.

Parking: Required: Two spaces; Provided: Two spaces.

Bufferyard Requirements: Type II bufferyard required where site adjoins residentially zoned property.

Vehicular Use Landscaping Standards Requirements: UDO standards will apply.

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.

Development Pace: Moderate.

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-1280; RS-20 to LB; withdrawn March 9, 2000; 1.68 acres; included current site; staff recommended denial.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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 2. and 3. 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

This petition was originally submitted as a general use Limited Business request, and identified as docket # F-1280. The previous petition was initially before the Planning Board at its December 9, 1999 meeting. It was continued to February 10, 2000, to allow time for consideration of an alternative zoning district request, and resubmission as a special use district petition.

On February 10th, the petitioner requested another continuance to March 9, 2000 to complete work on the site plan and meet all submission requirements. The site plan had not been prepared in time to meet the submission deadline for this meeting date, and further delay would have caused the petition to run beyond the 120 day period allowed for the Planning Board to act. The staff recommended that the petition be withdrawn and resubmitted as a special use petition with the modifications recommended by staff. In the interim, both the acreage and number of petitioners making the request was reduced.

The current petition is to rezone a 1.25 acre tract of land (reduced from a 1.68 acre tract previously) from RS-20 to HB-S. The uses proposed are Services, Personal; Services, Business B; and Nursery, Lawn and Garden Supply. The site is currently developed with two single family homes and a manufactured home.

There is a mixture of 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. There is, however, Highway Business (HB) zoning on the north side of High Point Road directly across from the site. The site plan proposed for this site shows the reuse of single family homes for low intensity business uses.

This site is located within the area covered by 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 does not provide sewer services to the site and any uses at this location will likely be served by the High Point City sewer system in the future.

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, but a change to special use Highway Business, with the limited business uses proposed would not be out of character with the moderate level of development in the immediate area, and could be considered part of a "cluster" of commercial activity around the Forsyth/Guilford line.

FINDINGS

1. This rezoning is consistent with the recommendations of *Vision 2005*.
2. This rezoning is not consistent with the recommendations in the *Horneytown Area Plan*, but should not significantly alter the character of the surrounding neighborhood.
3. This special use HB petition proposes uses of relatively low commercial intensity in converted single family homes.
4. The site still has some 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*. The development pace of the area, however, suggests that lower intensity commercial uses here might be appropriate.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

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

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - Type III bufferyard shall be installed as shown on the site plan. Any necessary waivers will be obtained prior to obtaining certificate of occupancy.
 - Driveway permit shall be issued by the North Carolina Department of Transportation.

[For information only: The site is located in the Future Growth Area of the Forsyth County Growth Management Plan contained in *Legacy*. 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: Steve Johnson moved approval of the rezoning petition.

SECOND: James Rousseau

VOTE:

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

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Steve Johnson certified that the site plan meets all code requirements, and staff recommendations should apply.

SECOND: James Rousseau

VOTE:

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

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Nancy C. Streetman and Michael N. Wilson & Melissa Wilson as of October 13, 1999.

A. Paul Norby, AICP
Director of Planning