



DOCKET #: F1303

PROPOSED ZONING:
HB-S (Storage Services,
Retail)

EXISTING ZONING:
LB

PETITIONER:
John S. Yokeley
& Jacqueline Yokeley

SCALE: 1" represents 200'

STAFF: G. Simmons

GMA: 4B

ACRE(S): 1.07

MAP(S): 654830

May 24, 2000

John S. Yokeley and
Jacqueline Yokeley
P. O. Box 151
Wallburg, NC 27373

RE: ZONING MAP AMENDMENT F-1303

Dear Mr. & Mrs. Yokeley:

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

FORSYTH COUNTY
BOARD OF COMMISSIONERS

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

SUBJECT:-

Zoning map amendment of John S. Yokeley and Jacqueline Yokeley

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning map amendment of John S. Yokeley and Jacqueline Yokeley from LB to HB-S (Storage Services, Retail): property is located on the southwest side of Thomasville Road between Maranda Road and Rex Road (Zoning Docket F-1303).

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

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of John S. Yokeley and Jacqueline Yokeley, Docket F-1303

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 LB to HB-S (Storage Services, Retail) the zoning classification of the following described property:

BEGINNING at an iron in the right-of-way of Old Thomasville Road, corner to Furman Reid (DB 1110 PG 790), running thence with the right-of-way of Old Thomasville Road south 47E 57' 00" east 207.74 feet to an existing iron, corner to Jonathan Brown (DB 1843 PG 2070), running thence with Brown south 29E 39' 19" west 130.90 feet to an existing iron and south 6E 46' 43" west 53.29 feet to an existing iron, corner to Phillip Falls (DB 1711 PG 444), running thence with Falls north 85E 28' 43" west 47.02 feet to a point, thence on a new line across the property of John S. Yokeley (DB 1833 PG 2519) north 47E 57' 00" west 229.26 feet to a point in the line of Furman Reid, thence with Reid north 42E 02' 01" east 200.00 feet to the point and place of beginning, containing 1.065 acres, ±.

Section 2. This Ordinance is adopted after approval of the site plan entitled John S. and Jacqueline Yokeley, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 19____ to John S. and Jacqueline Yokeley.

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 John S. and Jacqueline Yokeley. 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 John S. and Jacqueline Yokeley (Zoning Docket F-1303). 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 (Storage Services, 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:

C PRIOR TO THE ISSUANCE OF BUILDING PERMITS

- a. On-site fire hydrant locations shall be approved by the Forsyth County Fire Department in writing to the City-County Inspections Division.
- b. Developer shall dedicate a minimum forty-five (45) foot wide right-of-way from the centerline of Thomasville Road (NC109).

C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS

- a. All required fire hydrants shall be installed in accordance with the County Fire Department.
- b. Developer shall meet other County Fire Department requirements needed to accommodate fire fighting equipment.

C OTHER REQUIREMENTS

- a. Developer shall install a minimum three (3) foot high earthen berm within the required ten (10) foot wide street yard adjacent to Thomasville Road. Said earthen berm shall be additionally landscaped with streetyard plantings as specified in UDO Section 3-4.3 including streetyard shrub materials.
- b. Developer shall use black vinyl coated chain-link fencing where chain-link fencing is used on the periphery of the site.
- c. One (1) freestanding monument sign shall be permitted with a maximum height of five (5) feet.

ZONING STAFF REPORT

DOCKET # F-1303
STAFF: Glenn Simmons

Petitioner(s): John S. Yokeley and Jacqueline Yokeley
Ownership: Same

REQUEST

From: LB Limited Business District
To: HB-S Highway Business 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: 1.07 acres

LOCATION

Street: Southwest side of Thomasville Road between Maranda Road and Rex Road.
Jurisdiction: Forsyth County.

SITE PLAN

Proposed Use: Storage Services, Retail (82 self storage units).
Square Footage: 10,800 square feet including office space.
Building Height: One story.
Parking: Required: Seven spaces (five spaces plus one space per hundred storage units);
Proposed: Seven spaces.
Bufferyard Requirements: Type III bufferyard required adjacent to RS-20 zoning. Developer intends to use existing RS-20 zoned land, in his ownership, located behind the proposed LB-S project to serve as part of the buffer requirement.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Single structure.

Adjacent Uses:

North -	Developed LB zoned property.
Northeast -	Across Thomasville Road/NC 109 is Mickey's 109 Bar, zoned LB.
East -	Across Thomasville Road/NC 109 is a wooded area zoned LB.
Southeast -	Small restaurant. Further southeast is a Shell Service Station. Both are zoned LB.

South and
Southwest - Immediately southwest of this site is a power line. The land further southwest and south is heavily vegetated and zoned RS-20 and AG.
West - Across Maranda Drive, the land is heavily wooded and zoned RS-20. Further northwest along Maranda Drive are single family homes zoned RS-20.
Northwest - A novelties store. Further northwest is a small convenience store. Both uses are zoned LB.

GENERAL AREA

Character/Maintenance: Moderately well maintained commercial development on both sides of Thomasville Road.
Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Minor additional impacts to site. Existing single story building to remain.

Topography: Generally flat with a slight slope downward toward the rear of the property.

TRANSPORTATION

Direct Access to Site: Thomasville Road (NC 109).

Street Classification: Major thoroughfare

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

Thomasville Road - South of Willard Road - 8,800/12,700

Trip Generation/Existing Zoning: LB the most intense use (Bank w/drive-thru)

estimated bank size (from C-103) $3,440/1,000 = 3.44 \times 265.21 = 912$ avg. trips/day

Trip Generation/Proposed Zoning: $10,842/1,000 = 10.84 \times 2.5$ trip rate = 27 avg. trips/day

Planned Road Improvements: State TIP R-2568 proposes to widen NC 109 to multi-lanes and relocate around Wallburg (project is scheduled 2001-2006, beginning in Thomasville).

Sight Distance: Good.

HISTORY

Relevant Zoning Cases:

1. F-1171; RS-20 and LB to LB; approved October 28, 1996; southeast side of Thomasville Road approximately 500 feet northwest of Rex Road (current site); 1.07 acres; Planning Board and staff recommended approval.
2. F-184; R-5 to B-3; approved March 1, 1971; southwest side of Thomasville Road approximately 200 feet northwest of Miranda Road; Planning Board and staff recommended denial.

CONFORMITY TO PLANS

GMP Area (*Vision 2005*): Long-range future growth area (4B).

Relevant Comprehensive Plan Recommendation(s): The long-range growth area is defined by the outer boundaries of the drainage basins sewerable by gravity and represents the boundaries of long-range urban development in Forsyth County. The plan also calls for clustered commercial uses in the long-range growth area.

Area Plan/Development Guide: *US 311 Area Plan* (adopted 1984).

Relevant Development Guide Recommendation(s): The land use map in the *US 311 Area Plan* identifies the future use of the petitioner's site as low density residential. A large area in the vicinity of the petitioner's site is identified in the plan for some category of rural residential or agricultural use.

HISTORIC RESOURCES REVIEW:

Known historic resources? Yes.

Forsyth County Architectural Inventory Number/Name: N/A

Known Forsyth County Archaeological Site/Number: 31FS189

Comments: Site 31FS189 is located 0.3 mile southeast of the intersection of NC 109 and Southland Avenue. Only a small amount of material was recovered from the site. Staff does not believe the site contains sufficient data to require additional testing.

ANALYSIS

The proposed zoning is a HB-S request to allow 82 retail storage units on 1.07 acres of land. The site is currently zoned LB (Limited Business) and is located in an area of established scattered commercial development located on both sides of Thomasville Road, currently zoned LB.

Although the current site is commercially zoned, the proposed "Storage Services, Retail" use, as defined under the UDO, is not allowed in the LB zoning district.

Behind the current site is a residential subdivision located off Maranda Drive. In a previous zoning decision to extend the existing LB zoning fifty feet farther back from Thomasville Road, particular attention was given to maintaining a substantial buffer between the residential properties and the commercial district. This was achieved by reserving an undeveloped RS-20 remnant of land, also owned by John Steven Yokeley, located behind the site. This remnant parcel, 0.297 acre in size, contains less than 20,000 square feet and has frontage on Maranda Drive. Under the UDO, this site with its existing zoning cannot be developed for residential use and will therefore continue to act as a buffer between the commercial site and other residential properties located off Maranda Drive. It will also ensure that commercial access is not taken off Maranda Drive.

Although staff is somewhat concerned about introducing HB-S zoning in an area otherwise defined as an LB district, staff is comfortable with the Special Use District provisions which restrict the site to only the retail storage use. Traffic generation and other factors which could affect surrounding properties may, in fact, be less under the proposed HB-S classification than

what might otherwise occur under the existing general use LB zoning classification. Staff further believes that site plan conditions which include additional streetyard landscaping, low earthen berms, black vinyl coated fencing, and other design features will further offset the visual impacts of the proposed mini-storage use. Perhaps most importantly, retention of the remnant RS-20 buffer, located to the rear of the property, should continue to provide ample visual and functional separation of the site from adjacent residential uses.

FINDINGS

1. The current proposal is a request to change the existing LB zoning classification to HB-S to allow 82 retail storage units.
2. The site is located in an area of scattered commercial LB zoned development located on both sides of Thomasville Road.
3. An additional 0.297 acre of land zoned RS-20 will continue to act as a buffer between the HB-S commercial area and sites zoned RS-20 along Maranda Drive.
4. The restricted retail storage use may create fewer impacts with regard to traffic generation and other factors than might otherwise occur under the existing LB zoning.
5. Site plan conditions which include additional streetyard landscaping, earthen berms, and black vinyl coated fencing should mitigate the visual impact of the storage units.
6. This rezoning meets *Vision 2005* objectives and is not detrimental to the area.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

Site Plan: **Approval** with the following conditions:

C PRIOR TO THE ISSUANCE OF BUILDING PERMITS

- a. On-site fire hydrant locations shall be approved by the Forsyth County Fire Department in writing to the City-County Inspections Division.
- b. Developer shall dedicate a minimum forty-five (45) foot wide right-of-way from the centerline of Thomasville Road (NC109).

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C OTHER REQUIREMENTS

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- b. Developer shall use black vinyl coated chain-link fencing where chain-link fencing is used on the periphery of the site.
- c. One (1) freestanding monument sign shall be permitted with a maximum height of five (5) feet.

[*For information purposes only:* Draft *Legacy* Comprehensive Plan: The petitioner's site is within the municipal services area of the growth management plan in the draft *Legacy* plan and is designated "suburban neighborhoods".]

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Kem Schroeder moved approval of the zoning map amendment, certifies that the site plan meets all code requirements and recommends staff conditions.

SECOND: Norman Williams.

VOTE:

FOR: Bost, Johnson, King, Powell, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of John S. and Jacqueline F. Yokeley as of April 4, 2000.

A. Paul Norby, AICP
Director of Planning