

Motion and
Statement of Consistency with Comprehensive Plan
F-1544

I move that the following statement be adopted in support of a **Motion**
to Approve Zoning Map Amendment F-1544:

The proposed Special Use District – No Site Plan zoning map amendment with its added conditions is consistent with the Legacy Comprehensive Plan and the Southeast Forsyth County Area Plan and is reasonable and in the public interest because:

1. the proposed zoning map amendment is consistent with the purpose statement of the requested General Business – Special Use Limited (GB-L) Zoning District and intended for application in Growth Management Areas 1, 2, 3, and Metro Activity Centers; and even though the subject property is located in Growth Management Area 4, it is directly adjacent to an activity center identified in the Southeast Forsyth County Area Plan; and
2. the uses requested under the proposed zoning classification are consistent and compatible with uses permitted on other properties in the vicinity, and the list of proposed uses is fairly limited; and
3. the subject property is already being used for non-residential purposes and the existing zoning pattern includes a significant amount of commercial zoning.

Based on the foregoing Statement, I move adoption of F-1544.

Second:

Vote:

COUNTY ORDINANCE -
SPECIAL USE DISTRICT - NO SITE PLAN

Zoning Petition of Andi & Sheila Shoe, Docket F-1544
AN ORDINANCE AMENDING THE
FORSYTH COUNTY ZONING ORDINANCE
AND THE OFFICIAL ZONING MAP OF
FORSYTH COUNTY, N.C.

BE IT ORDAINED by the Board of Commissioners of Forsyth County as follows:

Section 1. The Forsyth County Zoning Ordinance and the Official Zoning Map of the County of Forsyth, N.C. are hereby amended by changing from LI to GB-L (Arts & Crafts Studio; Building Materials Supply; Furniture and Home Furnishings Store; Outdoor Display Retail; Retail Store; Wholesale Trade A; Building Contractors, General; Building Contractors, Heavy; Kennel, Indoor; Kennel, Outdoor; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Offices; Services A; Services B; Storage Services, Retail; Veterinary Services; Warehousing; Recreation Services, Indoor; Recreation Services; Outdoor; Recreation Facility, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Institutional Vocational Training Facility; School, Vocational or Professional; Manufacturing A; and Shopping Center, Small) the zoning classification of the following described property:

PIN# 6882-57-9628

Section 2. This Ordinance is adopted after approval of the Special Use District - No Site Plan Permit issued by the Board of Commissioners the _____ day of _____, 20__ to Andi & Sheila Shoe.

Section 3. The Board of Commissioners hereby directs the issuance of a Special Use District - No Site Plan Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Andi & Sheila Shoe. Said Special Use District - No Site Plan Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

COUNTY

SPECIAL USE DISTRICT - NO SITE PLAN PERMIT

Issued by the Board of Commissioners
of Forsyth County, NC

The Board of Commissioners of Forsyth County, NC issues a Special Use District - No Site Plan Permit for the zoning petition of Andi & Sheila Shoe, (Zoning Docket F-1544). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Arts & Crafts Studio; Building Materials Supply; Furniture and Home Furnishings Store; Outdoor Display Retail; Retail Store; Wholesale Trade A; Building Contractors, General; Building Contractors, Heavy; Kennel, Indoor; Kennel, Outdoor; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Offices; Services A; Services B; Storage Services, Retail; Veterinary Services; Warehousing; Recreation Services, Indoor; Recreation Services; Outdoor; Recreation Facility, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Institutional Vocational Training Facility; School, Vocational or Professional; Manufacturing A; and Shopping Center, Small, 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 GB-L zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO ISSUANCE OF ANY PERMITS:**
 - a. Developer shall obtain a Watershed Permit from the Inspections Department.
- **OTHER REQUIREMENTS:**
 - a. Signage shall be limited to one (1) sign with a maximum height of twelve (12) feet and a maximum copy area of fifty (50) feet.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	F-1544
Staff	Aaron King
Petitioner(s)	Andi & Sheila Shoe
Owner(s)	Same
Subject Property	PIN # 6882-57-9628
Type of Request	Special use limited rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial) to GB-L (General Business – Special use limited zoning). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Arts & Crafts Studio; Building Materials Supply; Furniture and Home Furnishings Store; Outdoor Display Retail; Retail Store; Wholesale Trade A; Building Contractors, General; Building Contractors, Heavy; Kennel, Indoor; Kennel, Outdoor; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Offices; Services A; Services B; Storage Services, Retail; Veterinary Services; Warehousing; Recreation Services, Indoor; Recreation Services; Outdoor; Recreation Facility, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Institutional Vocational Training Facility; School, Vocational or Professional; Manufacturing A; and Shopping Center, Small <p>NOTE: General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.</p>
Neighborhood Contact/Meeting	According to the application submitted with this request, no neighborhood meeting has been held.
Zoning District Purpose Statement	The GB District is primarily intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2, 3, and Metro Activity Centers.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>The site is located within GMA 4 (Future Growth Area); however, it abuts an activity center identified in the <i>Southeast Forsyth County Area Plan</i>.</p>

GENERAL SITE INFORMATION				
Location	Southeast corner of High Point Road and Barney Road			
Jurisdiction	Forsyth County			
Site Acreage	± 7.22 acres			
Current Land Use	Warehouses/manufacturing			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	HB, HB-S, GB-S	Self-storage facilities	
	East	HB, AG	Undeveloped land, volunteer fire department	
	South	AG	Undeveloped land	
	West	AG, HB	Scattered single family homes, car sales business	
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Yes, the site is located in an area that is composed of various commercial uses.			
Physical Characteristics	The site slopes down gently from High Point Road. A small pond is located in the approximate middle of the site.			
Proximity to Water and Sewer	City-County Utilities does not provide public water or sewer to the site.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The site is located within the Abbott's Creek WS-III watershed which limits impervious coverage to 24% without a Special Intense Development Allocation (SIDA).			
Analysis of General Site Information	The site is currently developed with one large commercial building located along the eastern property line and two other smaller buildings located closer to High Point Road. Since the site is located within the Abbott's Creek watershed, the petitioner will be responsible for obtaining a watershed permit from the Inspections Department whenever any future permits are requested.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
High Point Road	Major Thoroughfare	303'	2,200	11,100
Barney Road	Local Street	180'	NA	NA
Proposed Access Point(s)	Since this is a special use limited request with no site plan, the exact location of access points is unknown. The site currently utilizes a driveway onto Barney Road.			
Trip Generation - Existing/Proposed	An increase in trip generation can be expected with this request given the list of proposed uses.			
Sidewalks	None existing in the area.			

Analysis of Site Access and Transportation Information	Given the change in zoning from industrial to commercial, staff anticipates an increase in trip generation. However, High Point Road is currently under its current carrying capacity.					
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA	Growth Management Area 4 (Future Growth Area)					
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Encourage reuse of vacant and underutilized commercial and industrial sites (page 4-12). Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area (p. 9-2). 					
Relevant Area Plan(s)	<i>Southeast Forsyth County Area Plan (2013)</i>					
Area Plan Recommendations	<ul style="list-style-type: none"> The site is located immediately west of the Horneytown Road/High Point Road Activity Center. It is designated in the Area Plan Update as a Special Land Use Condition Site *q. The Area Plan Update notes that there are three business/warehouse uses existing on the site with room for further on site expansion but that expansion of existing uses to adjacent properties does not seem appropriate. 					
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?					
	No					
	(R)(4) - Is the requested action in conformance with Legacy?					
	Yes					
Analysis of Conformity to Plans and Planning Issues	The subject property is located in southeast corner of the County, in an area that has begun to develop into a small activity center. Several rezonings have taken place over the past decade that have added more commercial zoning to the area. The subject property is largely surrounded by commercial zoning and abuts the boundary of the activity center designated in the <i>Southeast Forsyth County Area Plan</i> . Given its location, surrounding zoning, and the limited uses proposed with this request; staff views this GB-L request as reasonable.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1503	AG to GB-S	Approved 10/13/08	North	0.85	Approval	Approval
F-1493	AG to HB-S	Approved 2/11/08	North	9.39	Approval	Approval
F-1466	RS20 to NB-S	Approved 8/14/06	East	0.87	Approval	Approval
Addressing	Because the primary access for the buildings on this property is connected to Barney Road, the addresses for the buildings and tenant spaces are required to change from High Point Road. Since there are three separate buildings on this property, a street name for the private access road will be required and each tenant space accessed by a separate exterior entrance will be assigned an individual address number.					

UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.3(J) GB District 	
Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy policies:</i>	Yes
	(B) <i>Environmental Ord.</i>	NA
	(C) <i>Subdivision Regulations</i>	NA
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
Site is already used for non-residential uses.		The request would place commercial zoning closer to some of the existing single family homes in the area.
The existing zoning pattern includes a significant amount of commercial zoning.		
The site abuts an activity center.		
The list of proposed uses is fairly limited.		
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL		
<p>The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.</p> <ul style="list-style-type: none"> <u>PRIOR TO ISSUANCE OF ANY PERMITS:</u> <ol style="list-style-type: none"> Developer shall obtain a Watershed Permit from the Inspections Department. <u>OTHER REQUIREMENTS:</u> <ol style="list-style-type: none"> Signage shall be limited to one (1) sign with a maximum height of twelve (12) feet and a maximum copy area of fifty (50) feet. 		

STAFF RECOMMENDATION: APPROVAL

NOTE: These are **staff comments** only; **final recommendations** on projects are made by the City-County Planning Board, with **final decisions** being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR F-1544
SEPTEMBER 12, 2013**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning petition including staff recommended conditions.

SECOND: Lynne Mitchell

VOTE:

FOR: Tommy Hicks, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican, Brenda Smith, Allan Younger

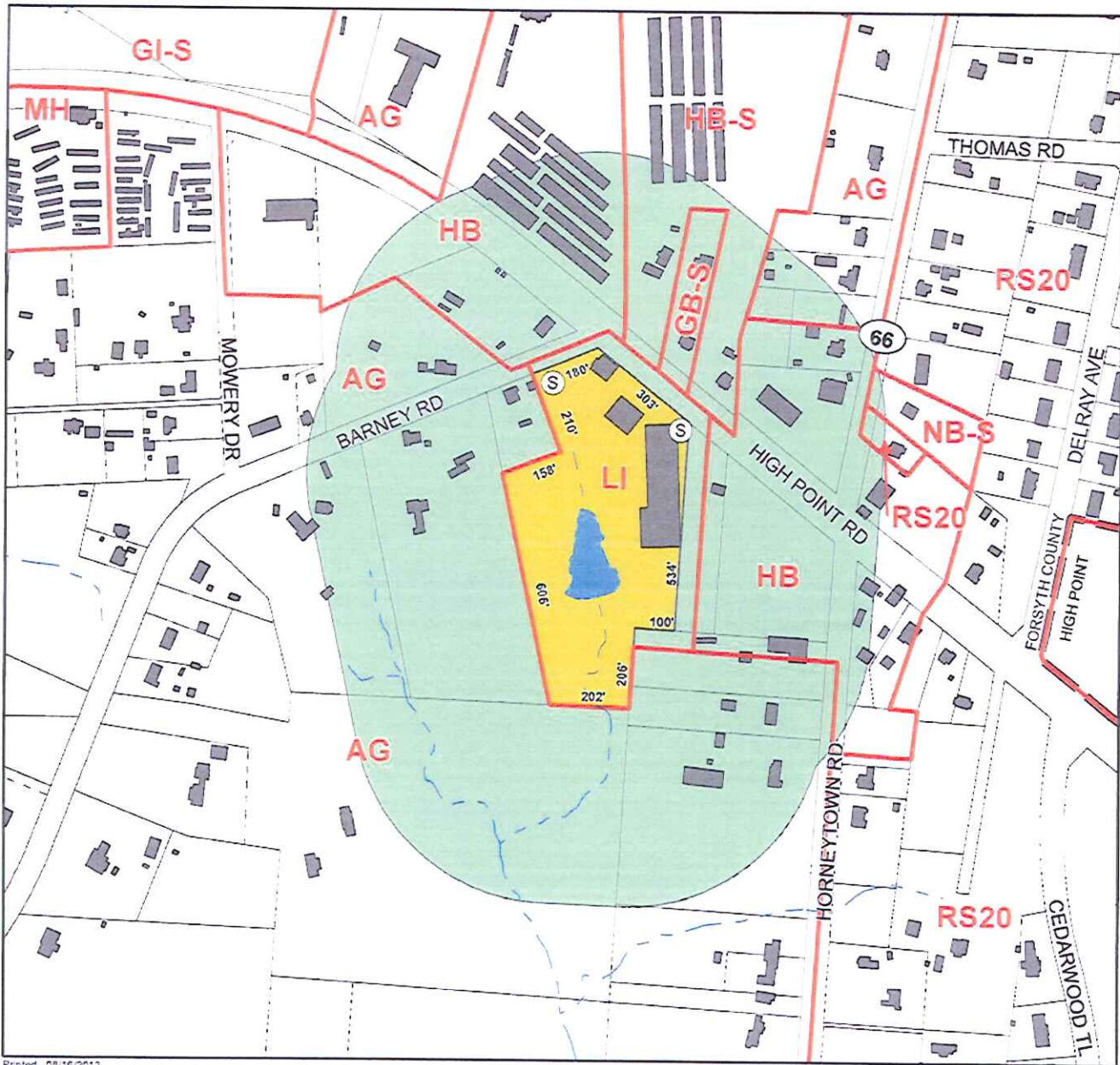
AGAINST: None

EXCUSED: None

According to information furnished on September 25, 2013 the subject property was in the name of Andi Craig Shoe & Sheila L Shoe.



A. Paul Norby, FAICP
Director of Planning and Development Services



Printed: 08/16/2013

DOCKET #: F1544

PROPOSED ZONING:
GB-L

EXISTING ZONING:
LI

PETITIONER:
Andi Shoe and Sheila Shoe
for property owned by Same

 Subject property

 500' notification radius

SCALE: 1" represents 400'

STAFF: King

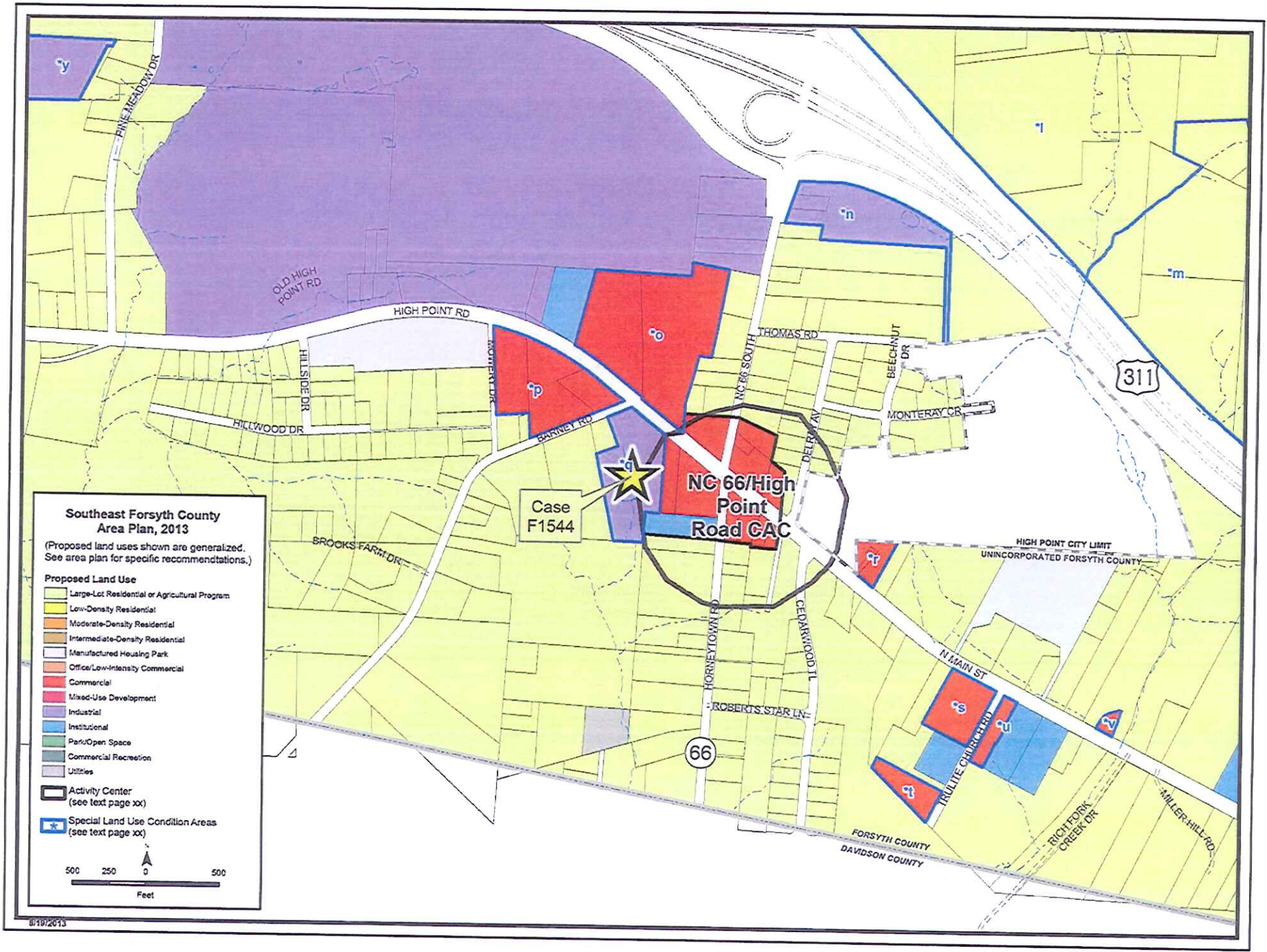
GMA: 4

ACRES: 7.22

NEAREST
BLDG: 3' west

MAP(S): 684826





F-1544 Attachment A
EXISTING LI USES ALLOWED
City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Academic Biomedical Research Facility
Academic Medical Center
Animal Shelter, Public
Arts and Crafts Studio
Banking and Financial Services
Building Contractors, General
Building Contractors, Heavy
Building Materials Supply
Child Care, Drop-In
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
College or University
Fish Hatchery
Fuel Dealer
Government Offices, Neighborhood Organization, or Post Office
Hospital or Health Center
Kennel, Indoor
Manufacturing A
Manufacturing B
Motor Vehicle, Body or Paint Shop
Motor Vehicle, Rental and Leasing
Motor Vehicle, Repair and Maintenance
Motor Vehicle, Storage Yard
Offices
Park and Shuttle Lot
Parking, Commercial
Police or Fire Station
Postal Processing Facility
Recreation Facility, Public
Recreation Services, Indoor
Recycling Center
School, Vocational or Professional
Services A
Services B
Signs, Off-Premises
Terminal, Bus or Taxi
Testing and Research Lab
Utilities
Warehousing
Wholesale Trade A
Wholesale Trade B

F-1544 Attachment A
EXISTING LI USES ALLOWED
City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)

Adult Day Care Center
Child Care, Sick Children
Child Day Care Center
Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)

Borrow Site
Dirt Storage
Helistop
Solid Waste Transfer Station

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)

Access Easement, Private Off-Site
Shelter for Homeless