DOCKET #: F1526

PROPOSED ZONING:  
GI-S

EXISTING ZONING:  
AG

PETITIONER:  
Jonnie Tucker for property owned by Same

SCALE:  
1" represents 600'

STAFF:  
Roberts

GMA:  
4

ACRES:  
14.37

NEAREST BLDG:  
75' north

MAP(S):  
660838
July 27, 2011

Jonnie H. Tucker
P. O. Box 279
Belews Creek, NC 27009

RE: ZONING MAP AMENDMENT F-1526

Dear Mr. Tucker:

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 Carla Holt, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

Attachment

pc: Carla Holt, County Manager's Office
Doug Stimmel, 601 N. Trade Street, Suite 200, Winston-Salem, NC 27101
FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: ____________________ AGENDA ITEM NUMBER: ______

SUBJECT:-

A. Public Hearing on Zoning Map Amendment of Jonnie H. Tucker
B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, North Carolina.
C. Approval of Special Use District Permit
D. Approval of Site Plan

COUNTY MANAGER’S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

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

ATTACHMENTS:-    X    YES ______ NO

SIGNATURE: ___________________________________ DATE: ____________

County Manager
COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Jonnie Tucker, Docket F-1526

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 AG to GI-S (Arts and Crafts Studio; Building Materials Supply; Wholesale Trade A; Wholesale Trade B; Banking and Financial Services; Building Contractors, General; Offices; Services A; Services B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Facility, Public; Child Care, Drop-In; Police or Fire Station; Government Offices, Neighborhood Organization, or Post Office; Postal Processing Facility; School, Vocational or Professional; Manufacturing A; Manufacturing B; Manufacturing C; Storage and Salvage Yard; Park and Shuttle Lot; Parking, Commercial; Terminal, Freight; Transmission Tower; and Utilities) the zoning classification of the following described property:

Tax Block 5622, Lot 27

Section 2. This Ordinance is adopted after approval of the site plan entitled Keen Transportation, Inc., and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of ________________, 20____ to Jonnie Tucker.
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 Keen Transportation, Inc. 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 Jonnie Tucker (Zoning Docket F-1526). 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 GI-S (Arts and Crafts Studio; Building Materials Supply; Wholesale Trade A; Wholesale Trade B; Banking and Financial Services; Building Contractors, General; Offices; Services A; Services B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Facility, Public; Child Care, Drop-In; Police or Fire Station; Government Offices, Neighborhood Organization, or Post Office; Postal Processing Facility; School, Vocational or Professional; Manufacturing A; Manufacturing B; Manufacturing C; Storage and Salvage Yard; Park and Shuttle Lot; Parking, Commercial; Terminal, Freight; Transmission Tower; and Utilities), 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 GI-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 GRADING PERMITS:**
  a. Developer shall obtain a driveway permit from NCDOT. Required improvements include:
     - Dedication of right-of-way 50’ from the center line of Temple School Road.
  b. Developer shall obtain all necessary permits from the NC Division of the Environment and Natural Resources (DENR) and the US Army Corps of Engineers.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All required improvements of the NCDOT driveway permit shall be completed.
### CITY-COUNTY PLANNING BOARD
### STAFF REPORT

<table>
<thead>
<tr>
<th>PETITION INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Docket #</strong></td>
</tr>
<tr>
<td><strong>Staff</strong></td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
</tr>
<tr>
<td><strong>Address</strong></td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
</tr>
<tr>
<td><strong>Proposal</strong></td>
</tr>
<tr>
<td><strong>Neighborhood</strong></td>
</tr>
<tr>
<td><strong>Zoning District</strong></td>
</tr>
<tr>
<td><strong>Applicable</strong></td>
</tr>
<tr>
<td><strong>Rezoning Consideration from Chapter B,</strong> Article VI, Section 6-2.1(R)</td>
</tr>
</tbody>
</table>
**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>West side of Temple School Road, north of High Point Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Forsyth County</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 14.37 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site is currently used as a tobacco farm.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>North</td>
<td>LI-S</td>
<td>Undeveloped property and single family home</td>
</tr>
<tr>
<td></td>
<td>East</td>
<td>AG</td>
<td>Farmland</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>AG &amp; RS20</td>
<td>Undeveloped property and single family home</td>
</tr>
<tr>
<td></td>
<td>West</td>
<td>LI-S</td>
<td>Undeveloped property</td>
</tr>
</tbody>
</table>

**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?

The proposed uses are compatible with the permitted uses in the adjacent LI-S zoned areas. However, some of the proposed uses are less compatible with the residential uses permitted in the adjacent and nearby AG and RS20 Districts.

**Physical Characteristics**

The site is predominately cleared and has a moderate slope downward to the south. The South Fork Muddy Creek and its associated floodplain border the southern end of the site.

**Proximity to Water and Sewer**

Public water is available to the site. Public sewer extends along High Point Road to the south but is not directly available to the site. A private septic system is proposed.

**Stormwater/Drainage**

The site plan includes a proposed stormwater pond in the southern portion of the site.

**Watershed and Overlay Districts**

The site is not within a water supply watershed.

**Analysis of General Site Information**

The site has no apparent constraints, other than its current lack of public sewer, and appears to be suitable for development within the existing GIS District.

**SITE ACCESS AND TRANSPORTATION INFORMATION**

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temple School Road</td>
<td>Minor Thoroughfare</td>
<td>1,696</td>
<td>2,700</td>
<td>NA</td>
</tr>
<tr>
<td>Unnamed</td>
<td>Platted, unopened</td>
<td>307'</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

The site will have one access point onto Temple School Road.

**Planned Road Improvements**

The Comprehensive Transportation Plan recommends a four lane, median divided facility with bicycle and pedestrian accommodations on Temple School Road.
| Trip Generation - Existing/Proposed | Existing Zoning: AG  
14.37 x 43,560 / 40,000 = 15 units x 9.57 (SFR Trip Rate) = 144 Trips per Day  
Proposed Zoning: GI-S  
6,500 sf / 1,000 x 1.5 (General Heavy Industrial Trip Rate) = 10 Trips per Day |
| Sidewalks | There are no sidewalks located in the general area. |
| Transit | Route 29 runs along Kernersville Road approximately 4 miles to the northwest. |
| Traffic Impact Study (TIS) | No TIS is required. |
| Analysis of Site Access and Transportation Information | Due to the relatively small building square footage, the anticipated trip generation is small for an industrial tract of this size. Staff does not anticipate any negative transportation impacts from this request. |

**CONFORMITY TO PLANS AND PLANNING ISSUES**

| Legacy GMA | Growth Management Area 4 - Future Growth Area |
| Relevant Legacy Recommendations |  
- **Legacy** states that the Union Cross Area has a potential for significant future residential, commercial and industrial development. Special policies and implementation measures for the Union Cross Area discussed in **Legacy** are intended to promote sustainable development by achieving a balance between the goals of economic development and conservation.  
- Identify and create development-ready “greenfield” industrial sites.  
- Increase economic vitality through diversification by expanding existing businesses; attracting new, high paying employers; and promoting a business climate which supports entrepreneurial innovation.  

| Relevant Area Plan(s) | Union Cross/Southeast Forsyth County Area Plan, UCSFCAP, (2004) |
| Area Plan Recommendations |  
- The area plan recommends Business/Industrial Park use for this site.  
Pertinent features of Design Guidelines for Business Parks:  
- **Site Buffers**: Site buffers consisting of existing vegetation supplemented by additional plantings and berms should be located along the periphery of the site to provide a visual screen and functional separation from public streets and adjoining residential land. The width of these buffers may vary depending on the physical characteristics of a particular site but in any case should not be less than 50 feet in width. For business parks located along scenic corridors identified in the **Union Cross/Southeast Forsyth County Area Plan**, required minimum buffers may be larger. |
• **Storage/Process Areas:** Businesses should meet the storage requirements of the “Manufacturing B” use in the Unified Development Ordinances which allow operations including storage of materials, processing, fabrication or assembly of products and loading/unloading of materials only within enclosed buildings. Storage trailers or containers should be located in designated areas and screened from public streets or from the exterior of the business park. No outdoor processes should be employed in the operation of any business in the business park as stipulated by the requirements of the “Manufacturing B” use in the Unified Development Ordinances. Any waste and recycling receptacles should be located within an enclosed structure.

• **Operation Impacts:** Operations at the business park should not produce dust, smoke, odors, fumes, air or water pollution, noise, gases or vibrations as required by the requirements of the “Manufacturing B” use in the Unified Development Ordinances.

• **Fences:** Perimeter and chain-link fencing is prohibited unless a special need can be demonstrated. In cases where the need is demonstrated, chain-link fencing should be as minimal as possible and its view from public streets or outside the business park should be screened by landscaping or buffering. Where it is necessary to use chain-link fencing, black, green or earth-tone vinyl fencing is preferred.

<table>
<thead>
<tr>
<th>Addressing</th>
<th>There are no address number or street naming concerns.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(3) - Have changing conditions substantially affected the area in the petition?</td>
</tr>
<tr>
<td></td>
<td>Yes, significant industrial rezoning and development i.e. the Dell and Caterpillar facilities, have taken place in the general area since 2004.</td>
</tr>
<tr>
<td></td>
<td>(R)(4) - Is the requested action in conformance with Legacy?</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Analysis of Conformity to Plans and Planning Issues</td>
<td>The proposed AG to GI-S request includes a relatively small building, 6,500 square feet, with the majority of the site being used for parking and outside storage. The UCSFCAP recommends industrial use for the property but also includes some guidelines for screening of outside activity areas. Staff supports the request but does recommend additional screening to minimize visibility of said outside parking/storage area. The need for additional screening is based upon the above mentioned guidelines which pertain to “site buffers” and “storage/process areas”. The revised site plan does address this recommendation for additional screening. The proposed perimeter 6’ chain-link fence will be either brown or green vinyl coated which is also consistent with said recommended guidelines.</td>
</tr>
</tbody>
</table>
### RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation Staff</th>
<th>Recommendation CCPB</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-3072</td>
<td>LI-S to GI-S</td>
<td>Approved 7-19-10</td>
<td>2,200' northeast</td>
<td>99.63</td>
<td>Approval</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2744</td>
<td>LI-S County to GI-S City</td>
<td>Approved 1-18-05</td>
<td>Directly west and north</td>
<td>208.44</td>
<td>Approval</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6,500</td>
<td>Northwestern portion</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required</td>
<td>6 spaces</td>
<td>6 spaces</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum</td>
<td>70'</td>
<td>One story</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum</td>
<td>NA</td>
<td>40.99%</td>
</tr>
</tbody>
</table>

- Chapter B, Article II, Section 2-1.4 (C) General Industrial District

### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request is consistent with the recommendations of Legacy and the Union Cross/Southeast Forsyth County Area Plan.</td>
<td>The request is not fully consistent with the purpose statement of the proposed GI-S District.</td>
</tr>
<tr>
<td>Request would allow for increased industrial activity.</td>
<td></td>
</tr>
<tr>
<td>The site is located along a minor thoroughfare.</td>
<td></td>
</tr>
<tr>
<td>The request is not a high traffic generating use.</td>
<td></td>
</tr>
</tbody>
</table>
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

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.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  a. Developer shall obtain a driveway permit from NCDOT. Required improvements include:
     - Dedication of right-of-way 50’ from the center line of Temple School Road.
  b. Developer shall obtain all necessary permits from the NC Division of the Environment and Natural Resources (DENR) and the US Army Corps of Engineers.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All required improvements of the NCDOT driveway permit shall be completed.

**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.**
PUBLIC HEARING

FOR: None
AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following point was made:

1. Lynne Mitchell thanked the petitioner for providing the buffering.

MOTION: Paul Mullican moved approval of the zoning map amendment and certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Clarence Lambe
VOTE:
   FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican, Brenda Smith, Allan Younger
   AGAINST: None
   EXCUSED: None

According to information furnished by the Office of the Tax Assessor on July 14, 2011, the subject property was in the name of Jonnie H. Tucker.

A. Paul Norby, FAICP
Director of Planning
INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE
Project Case Number: F-1526

PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS
Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. Further, please note that additional information may be forthcoming from Departments that indicate "See Emailed Comments" or other similar phrase. A list of recommended conditions from this Interdepartmental Review will be sent to you via e-mail generally by the end of the business day on Friday the week prior to the Planning Board Public Hearing.

<table>
<thead>
<tr>
<th>PROJECT CASE NUMBER: F-1526</th>
<th>PROJECT TITLE: Keen Transportation, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE: June 29, 2011</td>
<td></td>
</tr>
<tr>
<td>PROJECT DESCRIPTION: West side of Temple School Road, north of High Point Road</td>
<td></td>
</tr>
</tbody>
</table>

**NCDOT- Phone # - 336.703.6600 Email: jprhyne@ncdot.gov**
"Acquire Driveway Permit"
(per email from John Rhyne)

**Signature**

**WSDOT- Phone # - 336.747.6872 Email: conniec@cityofwso.org**
"Dedicate ROW per NCDOT (50' from centerline of Road) as shown on plan."
(per email from Connie Curtis)

**Signature**

**City Engineer- Phone # - 336.747.6846 Email: albertcg@cityofwso.org**
"No comments"
(per email from Al Gaskill)

**Signature**

**City Streets Division- Phone # - 336.734.1550 Email: robbys@cityofwso.org**
"No comments"
(per email from Robby Stone)

**Signature**

**Inspections (Zoning)- Phone # - 336.727.2626 Email: jeffv@cityofwso.org**
"No comments"
(per email from Jeff Vaughn)

**Signature**

**Inspections (Erosion Control)- Phone # - 336.727.2388 Email: jeffk@cityofwso.org**
"Land Disturbing Permit reqd. NCDENR Water Quality approval."
(per email from Jeff Kopf)

**Signature**

**Stormwater Division- Phone # - 336.747.6961 Email: josephf@cityofwso.org**

**Signature**
Fire (County)- Phone # - 336.703-2550 Email: smithbj@forsyth.cc
"Need to add fire hydrant within 400ft of the building as a fire engine would drive. The gate will need to meet Forsyth County Gate Standard."
(per email from Brock Smith)

Utilities- Phone # - 336.747.7499 Email: courtneyd@cityofws.org
"Subject to Utilities plan review for permits and/or authorization to construct"
(per email from Courtney Driver)

Sanitation- Phone # - 336.748.3080 Email: christc@cityofws.org

Planning- Phone # - 336.747.7043/747.7068 Email: aaronk@cityofws.org
"Staff has concerns about visibility into the site from Temple School Road- cross section to demonstrate existing berming/planting is adequate; potential for some evergreen plantings along northern line? Concern about what the view will be like for the homes on Graytuck- potential evergreen screening to soften the view?"
(per email from Aaron King)

Forsyth County Health Department - 336.703-3110 Email: rakescd@forsyth.cc
The FCHD would like to state that a design of a septic system is determined by natural soil, topography and the type of business of a facility. Therefore, if all other departments are able to approve this project that it be in a category where it is left pending until applicant has contacted and verified (by a Soil Site Evaluation) with the FCHD whether this proposed site plan can be approved for a septic system.

Vegetation Management -336.748.3020 Email: keithf@cityofws.org

Street Names/Addresses -336.747.7048 Email: benfs@cityofws.org
"No address number or street naming concerns."
(per email from Ben Stamey)
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Adult Day Care Home
Agricultural Production, Crops
Agricultural Production, Livestock
Agricultural Tourism
Animal Feeding Operation
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Fish Hatchery
Kennel, Outdoor
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Cemetery
Church or Religious Institution, Community
Golf Course
Landfill, Land Clearing/Inert Debris, 2 acres or less
Library, Public
Planned Residential Development
School, Private
School, Public
Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Borrow Site
Child Day Care, Large Home
Dirt Storage
Fishing, Fee Charged
Habilitation Facility A
Manufactured Home, Class A
Manufactured Home, Class B
Manufactured Home, Class C
Nursing Care Institution
Park and Shuttle Lot
Recreational Vehicle Park
Riding Stable
Shooting Range, Outdoor
Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Landfill, Land Clearing/Inert Debris, greater than 2 acres