PROPOSED ZONING:
HB-S and RS30-S

EXISTING ZONING:
HB-S, MH, and RS20

PETITIONER:
JP & SP LLC and 4-S Properties LLC for property owned by Same

SCALE:
1" represents 900'

STAFF:
Roberts

GMA:
5

ACRES:
44.06

NEAREST:
7' south

BLDG:
7' south

MAP(S):
618898

Printed: 8/14/2008
September 24, 2008

JP & SP LLC and 4-S Properties, LLC
6725 University Parkway
Rural Hall, NC  27045

RE:  ZONING MAP AMENDMENT F-1504

Dear Sirs:

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, Winston-Salem, NC  27101
SUBJECT:-

A. Public Hearing on Zoning Map Amendment of JP & SP LLC and 4-S Properties, LLC from HB-S, MH and RS-20 to HB-S [Tract 1 Uses: Arts And Crafts Studio; Convenience Store; Food or Drug Store; Fuel Dealer; Furniture and Home Furnishings Store; Hardware Store; Implement Sales and Service; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Building Contractor, General; Car Wash; Health Services, Miscellaneous; Medical and Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Veterinary Services; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Recreational Vehicle Park; Theater, Indoor; Animal Shelter, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Library, Public; Museum or Art Gallery; Police or Fire Station; Post Office; Broadcast Studio; Park and Shuttle Lot; Commercial Parking; Bus or Taxi Terminal; Utilities], HB-S (Tract 2 Uses: Recreational Vehicle Park and Outdoor Display Retail), and RS-30-S (Tract 3 Use: Recreational Vehicle Park): property is located on the east side of University Parkway across from Opal Drive (Zoning Docket F-1504).

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:-

CONTINUED ON NEXT PAGE
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 JP & SP LLC and 4-S Properties, LLC, Docket F-1504

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 HB-S (Outdoor Display Retail; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Paint and Body Shop; Motor Vehicle, Storage Yard), MH and RS-20 to HB-S [Tract 1 Uses: Arts And Crafts Studio; Convenience Store; Food or Drug Store; Fuel Dealer; Furniture and Home Furnishings Store; Hardware Store; Implement Sales and Service; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Building Contractor, General; Car Wash; Health Services, Miscellaneous; Medical and Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Veterinary Services; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Recreational Vehicle Park; Theater, Indoor; Animal Shelter, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Library, Public; Museum or Art
Gallery; Police or Fire Station; Post Office; Broadcast Studio; Park and Shuttle Lot; Commercial Parking; Bus or Taxi Terminal; Utilities], HB-S (Tract 2 Uses: Recreational Vehicle Park and Outdoor Display Retail), and RS-30-S (Tract 3 Use: Recreational Vehicle Park) the zoning classification of the following described property:

Tract 1:
Beginning at an iron pipe set at the southwestern corner of now or formerly, Brenda G. Flynt (Parcel Identification No: 6920-10-4436; Block: 4933, Lot: 054), recorded as Lot 3, Plat Book 11, Page 231 (Estate) in the Forsyth County Registry, having NC Grid NAD83(NSRS2007) coordinates of Northing: 900,087.24 feet, Easting: 1,621,029.89 feet, also being an iron pipe set in the eastern right-of-way of University Parkway; thence, along the southern line of said Flynt, South 88 degrees 56 minutes 12 seconds East 709.77 feet to an iron pipe found in the western line of now or formerly, Mary Thacker Carter and Gartie H. Carter (Parcel Identification No: 6920-20-5013; Block: 4933, Lot: 047A) as recorded in Deed Book 996, Page 77 in the Forsyth County Registry; thence, along the western line of said Carter; South 00 degrees 59 minutes 48 seconds West 266.49 feet to an iron pipe set at the southwestern corner of said Carter; thence, continuing along the same line, South 00 degrees 59 minutes 48 seconds West 133.08 feet to a point; thence, the following four (4) new courses: 1) South 82 degrees 23 minutes 35 seconds East 80.67 feet to a point; thence, 2) South 14 degrees 56 minutes 53 seconds East 355.10 feet to a point; thence, 3) South 32 degrees 36 minutes 56 seconds West 138.13 feet to a point; thence, 4) South 75 degrees 03 minutes 07 seconds West 101.15 feet to a point in the eastern line of the remainder of Lot 5, Plat Book 11, Page 231 (Parcel Identification No: 6829-19-3495; Block: 4933, Lot: 056A) as recorded in the Forsyth County Registry; thence, along the eastern line of said Lot 5, North 00 degrees 59 minutes 48 seconds West 274.08 feet to an iron pipe set at the northeastern corner of said Lot 5; thence, along the northern line of said Lot 5, North 88 degrees 48 minutes 12 seconds West 524.73 feet to an iron pipe set in the eastern right-of-way line of University Parkway; thence, along said eastern line of University Parkway, North 14 degrees 57 minutes 13 seconds West 673.38 feet to the point of beginning, containing 459,460 square feet or 10.548 acres.

Tract 2:
Beginning at an iron pipe set at the southwestern corner of now or formerly, Brenda G. Flynt (Parcel Identification No: 6920-10-4436; Block: 4933, Lot: 054), recorded as Lot 3, Plat Book 11, Page 231 (Estate) in the Forsyth County Registry, having NC Grid NAD83(NSRS2007) coordinates of Northing: 900,087.24 feet, Easting: 1,621,029.89 feet, also being an iron pipe set in the eastern right-of-way of University Parkway; thence, along the southern line of said Flynt, South 88 degrees 56 minutes 12 seconds East 709.77 feet to an iron pipe found in the western line of now or formerly, Mary Thacker Carter and Gartie H. Carter (Parcel Identification No: 6920-20-5013; Block: 4933, Lot: 047A) as recorded in Deed Book 996, Page 77 in the Forsyth County Registry; thence, along the western line of said Carter; South 00 degrees 59 minutes 48 seconds West 266.49 feet to an iron pipe set at the southwestern corner of said Carter, being the True Point of Beginning; thence, along the southern line of said Carter, South 89 degrees 17 minutes 15 seconds East 576.73 feet to a point; thence, the following one (1) curve and four (4)
courses: 1) South 00 degrees 42 minutes 45 seconds West 251.76 feet to a point; thence, 2) South 14 degrees 56 minutes 53 seconds East 222.58 feet to a point; thence, 3) South 03 degrees 42 minutes 13 seconds West 290.50 feet to a point; thence, 4) a curve to the left having a radius of 187.50 feet with a chord bearing and distance of North 84 minutes 11 minutes 51 West 11.19 feet to a point; thence, 5) South 04 degrees 05 minutes 35 seconds West 187.50 feet to an iron pipe found at the northeastern corner of now or formerly, Luis Hernandez and wife, Maria M. Hernandez (Parcel Identification No: 6829-28-0626; Block: 4945, Lot: 033) as recorded in Deed Book 2554, Page 3235 in the Forsyth County Registry; thence, along the northern line of said Hernandez, South 85 degrees 44 minutes 19 seconds West 606.68 feet to an iron pipe found at the northwestern corner of said Hernandez; thence, North 00 degrees 59 minutes 48 seconds East 30.47 feet to an iron pipe set at a southeastern corner of the remainder of Lot 5, Plat Book Lot 5, Plat Book 11, Page 231 (Parcel Identification No: 6829-19-3495; Block: 4933, Lot: 056A) as recorded in the Forsyth County Registry; thence, along the eastern line of said Lot 5, North 00 degrees 59 minutes 48 seconds East 308.45 feet to an iron pipe set; thence, the following four (4) new courses: 1) North 75 degrees 03 minutes 07 seconds East 101.15 feet to a point; thence, 2) North 32 degrees 36 minutes 56 seconds East 138.13 feet to a point; thence, 3) North 14 degrees 56 minutes 53 seconds West 355.10 feet to a point; thence, 4) North 62 degrees 23 minutes 35 seconds West 80.67 feet to a point in the eastern line of the remainder of Lot 4, Plat Book Lot 5, Plat Book 11, Page 231 (Parcel Identification No: 6829-19-3495; Block: 4933, Lot: 056A) as recorded in the Forsyth County Registry; thence, along the eastern line of said Lot 4, North 00 degrees 59 minutes 48 seconds East 133.08 feet to the True Point of Beginning, containing 528,870 square feet or 12.141 acres.

Tract 3:
Beginning at an iron pipe set at the southwestern corner of now or formerly, Brenda G. Flynt, (Parcel Identification No: 6920-10-4436; Block: 4933, Lot: 054) recorded as Lot 3, Plat Book 11, Page 231 (Estate) in the Forsyth County Registry, having NC Grid NAD83(NSRS2007) coordinates of Northing: 900,087.24 feet, Easting: 1,621,029.89 feet, also being an iron pipe set in the eastern right-of-way of University Parkway; thence, along the southern line of said Flynt, South 88 degrees 56 minutes 12 seconds East 709.77 feet to an iron pipe found in the western line of now or formerly, Mary Thacker Carter and Gartie H. Carter (Parcel Identification No: 6920-20-5013; Block: 4933, Lot: 047A) as recorded in Deed Book 996, Page 77 in the Forsyth County Registry; thence, along the southern line of said Carter, South 89 degrees 17 minutes 15 seconds East 576.73 feet to a point, being the True Point of Beginning; thence, continuing along the southern line of said Carter, South 89 degrees 17 minutes 15 seconds East 779.97 feet to a stone found at a corner of said Carter; thence, along the southern line of said Carter, South 89 degrees 17 minutes 15 seconds East 576.73 feet to a point, being the True Point of Beginning; thence, continuing along the southern line of said Carter, South 89 degrees 17 minutes 15 seconds East 779.97 feet to a stone found at a corner of said Carter; thence, along the western line of said Carter, South 00 degrees 51 minutes 25 seconds West 702.40 feet to an iron pipe found at the northwestern corner of now or formerly, David L. Caudill and wife, Linda D. Mabe Caudill (Parcel Identification No: 6829-49-2978; Block: 4951, Lots: 103 & 104D) as recorded in Deed Book 2079, Page 3974 in the Forsyth County Registry; thence, continuing along the same course, 246.27 feet to an iron pipe found at the northwestern corner of now or formerly, R. H. Johnson Construction Company (Parcel Identification No: 6829-38-6101; Block: 4945, Lot: 031) as recorded in Deed Book, 1460 Page 311 in the Forsyth County Registry; thence, continuing along the same course, 287.35 feet (a total distance of 1236.02 feet) to a stone found at the northeastern corner of now or formerly, Fred Henry Johnson (Parcel Identification No: 6829-38-0355; Block: 4945, Lot: 035D) as recorded in Deed Book.
2021, Page 44 in the Forsyth County Registry; thence, along the northern line of said Johnson, South 89 degrees 15 minutes 48 seconds West 259.52 feet to the northeastern corner of now or formerly, Ina F. Dillard (Parcel Identification No: 6829-28-7239; Block: 4945, Lot: 035C) as recorded in Deed Book 2021, Page 42 in the Forsyth County Registry; thence, continuing along the same course, 277.10 feet to an iron pipe found at the northeastern corner of now or formerly, Rhonda C. Danniel and husband, Kenny G. Danniel (Parcel Identification No: 6829-28-4178; Block: 4945, Lot: 034) as recorded in Deed Book 2786, Page 1253 in the Forsyth County Registry; thence, continuing along the same course, 149.81 feet to a point at the northeastern corner of now or formerly, Nil M. Hurtado, Sr. (Parcel Identification No: 6829-28-2098; Block: 4945, Lots: 032C & 032B) as recorded in Deed Book 2575, Page 1937 in the Forsyth County Registry; thence, continuing along the same course, 40.25 feet (a total distance of 726.68 feet) to a stone at the southeastern corner of now or formerly; Luis Hernandez and wife, Maria M. Hernandez (Parcel Identification No: 6829-28-0626; Block: 4945, Lot: 033) as recorded in Deed Book 2554, Page 3235 in the Forsyth County Registry; thence, along the eastern line of said Hernandez, North 04 degrees 21 minutes 26 seconds West 313.26 feet to an iron pipe found at the northeastern corner of said Hernandez; thence, the following one (1) curve and four (4) new courses: 1) North 04 degrees 05 minutes 35 seconds East 187.50 feet to a point; thence, 2) a curve to the right having a radius of 187.50 feet with a chord bearing and distance of South 84 degrees 11 minutes 51 East 11.19 feet to a point; thence, 3) North 03 degrees 42 minutes 13 seconds East 290.50 feet to a point; thence, 4) North 14 degrees 56 minutes 53 seconds West 222.58 feet to a point; thence, North 00 degrees 42 minutes 45 seconds East 251.76 feet to the True Point of Beginning, containing 931,406 square feet or 21.382 acres.

Section 2. This Ordinance is adopted after approval of the site plan entitled Bill Plemmons Memorial Rally Park, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the ______ day of ________________, 20____ to JP & SP LLC and 4-S Properties, LLC.

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 Bill Plemmons Memorial Rally Park. 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 JP & SP LLC and 4-S Properties, LLC (Zoning Docket F-1504). 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 [Tract 1 Uses: Arts And Crafts Studio; Convenience Store; Food or Drug Store; Fuel Dealer; Furniture and Home Furnishings Store; Hardware Store; Implement Sales and Service; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Building Contractor, General; Car Wash; Health Services, Miscellaneous; Medical and Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Veterinary Services; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Recreational Vehicle Park; Theater, Indoor; Animal Shelter, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Library, Public; Museum or Art Gallery; Police or Fire Station; Post Office; Broadcast Studio; Park and Shuttle Lot; Commercial Parking; Bus or Taxi Terminal; Utilities], HB-S (Tract 2 Uses: Recreational Vehicle Park and Outdoor Display Retail), and RS-30-S (Tract 3 Use: Recreational Vehicle Park), 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 HB-S and RS-30-S zoning districts 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; additional improvements may be required prior to issuance of driveway permit.
  b. Petitioner shall obtain all required permits from the Forsyth County Health Department.
  c. Developer shall cordon off all areas shown on the site plan as buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Trees in all these areas shall be protected from grading encroachment in accordance with UDO requirements.

• **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. An engineered lighting plan shall be submitted to Inspections for the proposed lighting demonstrating the use of full-cut off fixtures, light height of 25' or less and no more than 0.5 foot-candles at the property line.
  b. Petitioner shall obtain the closure of any platted unopened right-of-way on site.
  c. Prior to the issuance of any building permits for either Tract 2 or Tract 3 the petitioner shall record a plat recording the right-of-way dedication for Rally Park Drive.

• **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All required improvements of the NCDOT driveway permit shall be completed.
  b. Lighting shall be installed per approved lighting plan and certified by an engineer.
<table>
<thead>
<tr>
<th>Docket #</th>
<th>F-1504</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>JP &amp; SP LLC and 4-S Properties, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax PIN 6829-19-3495 and 6829-29-4136</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special use rezoning to HB-S and RS30-S</td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB-S Highway Business District (Outdoor Display Retail; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Paint and Body Shop; Motor Vehicle, Storage Yard); MH Manufactured Housing District and RS-20 Residential, Single Family District to HB-S Highway Business District and RS-30-S Residential, Single Family District; 30,000 sf minimum lot size. The petitioner is requesting the following uses:

- HB-S Tract 1 Uses: [Arts And Crafts Studio; ; Convenience Store; Food or Drug Store; Fuel Dealer; Furniture and Home Furnishings Store; Hardware Store; Implement Sales and Service; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Building Contractor, General; Car Wash; Health Services, Miscellaneous; Medical and Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Veterinary Services; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Recreational Vehicle Park; Theater, Indoor; Animal Shelter, Public; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices; Library, Public; Museum or Art Gallery; Police or Fire Station; Post Office; Broadcast Studio; Park and Shuttle Lot; Commercial Parking; Bus or Taxi Terminal; Utilities]
- HB-S (Tract 2 Uses: Recreational Vehicle Park and Outdoor Display Retail), and
- RS-30-S (Tract 3 Use: Recreational Vehicle Park)

**Zoning District Purpose Statement**

The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. However, the district is not intended to encourage or accommodate strip commercial development.
Developments in this district generally have substantial front setbacks. This district is intended for application in Growth Management Areas 2, 3, and 4.

The RS-30 District is primarily intended to accommodate single family detached dwellings on approximately three-quarter (0.75) acre lots in areas without access to public water and sewer services. This district is intended for application in Growth Management Areas 4 and 5. The district may also be applicable to older, larger lot development in Growth Management Areas 2 and 3 developed prior to the effective date of this ordinance.

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)

| (S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)? | Yes |

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>East side of University Parkway across from Opal Drive</th>
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</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Forsyth County</td>
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<tr>
<td>Site Acreage</td>
<td>Approximately ± 44.06 acres (Tract 1 – 10.54 acres; Tract 2 – 12.14 acres; Tract 3 – 21.38 acres)</td>
</tr>
</tbody>
</table>

#### Current Land Use

The western portion of the site (Tract 1) includes a majority of the existing Bill Plemmons RV World and portion of a former manufactured home park. The eastern portion of the site (Tracts 2 & 3) is primarily undeveloped and includes the remainder of said manufactured home park.

#### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-20</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>East</td>
<td>RS-20 &amp; RM8-S</td>
<td>Low density residential</td>
</tr>
<tr>
<td>South</td>
<td>HB &amp; RS-20</td>
<td>Undeveloped and Bill Plemmons RV World</td>
</tr>
<tr>
<td>West</td>
<td>IP-S, RS-9 &amp; HB</td>
<td>Undeveloped, single family homes and small businesses</td>
</tr>
</tbody>
</table>

#### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)

| (S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity? | Yes |

#### Physical Characteristics

The site has a gentle to steep slope downward generally to the east. A large portion of the site is heavily wooded and includes a tributary stream.

#### Proximity to Water and Sewer

Public water is available but public sewer is not. The petitioner is in contact with the Forsyth County Health Department.

#### Stormwater/Drainage

No known issues. The site plan does include the location for a proposed stormwater management pond on the northeast corner of the site.

#### Watershed and Overlay Districts

The site is not within a water supply watershed.
Analysis of General Site Information

The site appears to possess no development constraints other than its lack of public sewer. The petitioner will need to obtain septic system or suitable alternative treatment approval from the Forsyth County Health Department.

Generalized Recommended Conditions

**BRIEF DESCRIPTION OF CONDITION(S):**
- Health Department approval condition

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>
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<tr>
<td>University Parkway</td>
<td>Major Thoroughfare</td>
<td>679’</td>
<td>13,000</td>
<td>16,100</td>
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<tr>
<td>Rally Park Drive (proposed name)</td>
<td>Private street</td>
<td>+/- 30’</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

Tract 1 will continue to be accessed from University Parkway. Tracts 2 & 3 will be accessed through Tract 1 and from a currently unnamed street which connects to University Parkway.

**Planned Road Improvements**

University Parkway is recommended to be constructed as a three lane major thoroughfare with curb and gutter, and wide outside lanes with sidewalks.

**Trip Generation - Existing/Proposed**

**Existing Zoning: HB, MH & RS-20**

\[
36,393 \text{ sf} / 1,000 \times 37.5 \times (\text{New Car Sales Trip Rate}) = 1,365 \text{ trips} + 4.4 \text{ acres of MH} \times 43,560 / 10,000 = 19 \text{ units} \times 4.81 \text{ (Mobile Home Park Trip Rate)} = 91 \text{ trips} + 29.51 \text{ acres of RS-20} \times 43,560 / 20,000 = 64 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 612 \text{ trips} = 2,068 \text{ Total trips per day}
\]

**Proposed Zoning: HB-S & RS30-S**

\[
66,393 \text{ sf} / 1,000 \times 37.5 \times (\text{New Car Sales Trip Rate}) = 2,490 \text{ trips} + 33.52 \text{ acres} \times 74.38 \text{ (Campground/Recreational Vehicle Park Trip Rate)} = 2,493 \text{ trips} = 4,983 \text{ Total trips per day}
\]

**Sidewalks**

There are no sidewalks located in the general vicinity of the site. WSDOT recommends sidewalks along University Parkway as per the Thoroughfare Plan.

**Transit**

Not available.

**Connectivity**

The proposed site plan illustrates good internal private street connectivity. No external stub streets are proposed.

**Traffic Impact Study (TIS)**

A TIS is not required.

**Analysis of Site Access and Transportation Information**

Access to the site is adequate. WSDOT recommends sidewalks along University Parkway.

**Generalized Recommended Conditions**

**BRIEF DESCRIPTION OF CONDITION(S):**
- Condition for driveway permit from NCDOT
- Condition for closing right-of-way within the site

**Legacy GMA**

Growth Management Area 5, Rural Area
### Relevant Legacy Recommendations
- Discourage rezonings to more intense districts in the Rural Area (GMA 5). (p. 46)
- Promote economic development which is compatible with existing residential neighborhoods and other business developments. (p. 77)

### Relevant Area Plan(s)
The site is not within the boundaries of an area plan or development guide.

### Comments from the Town of Rural Hall
The Town of Rural Hall is supportive of the subject request.

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)
(S)(3) - Have changing conditions substantially affected the area in the petition?
No

(S)(4) - Is the requested action in conformance with Legacy?
See comments below

### Analysis of Conformity to Plans and Planning Issues
The subject request represents a significant expansion of the Bill Plemmons recreational vehicle dealership. A new 30,000 sf building would be added bringing the total square footage of the dealership to 66,393 sf. The request would also create a 330 space recreational vehicle park directly behind said dealership to the east.

The site is within Legacy’s Rural growth management area where rezonings to more intensive zoning districts are generally discouraged. However, due to the configuration of the subject property, the request would not increase the commercial frontage along University Parkway. The new building and the recreational vehicle park would be to the rear of the existing facility, largely unseen from said major thoroughfare. In addition, the land which is proposed for the park is essentially inaccessible from a topographical standpoint from the adjacent properties to the north, east and south. Because it is oriented to the existing HB-S zoned site, it is most logical from a development standpoint that these properties be connected from a land use and design perspective. The proposed uses relate well to each other and are interconnected at two points. Staff is therefore supportive of the request. The Town of Rural Hall is also supportive of the subject request.

### Generalized Recommended Conditions
**BRIEF DESCRIPTION OF CONDITION(S):**
- Lighting condition

### 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</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>Staff</td>
<td>CCPB</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F-1431</td>
<td>RS-20 to HB</td>
<td>Approved 7-25-05</td>
<td>500’ south</td>
<td>1.16</td>
<td>Denial Approval</td>
</tr>
<tr>
<td>F-1092</td>
<td>R-6 &amp; R-20 to B3-S (HB-S)</td>
<td>Approved 10-9-95</td>
<td>500’ southeast</td>
<td>24</td>
<td>Approval Approval</td>
</tr>
<tr>
<td>F-1044</td>
<td>R-6 to B3-S (HB-S)</td>
<td>Approved 1-25-93</td>
<td>Included a portion of</td>
<td>9.2</td>
<td>Approval 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>Total of 68,393 sf for existing and proposed buildings on all three tracts</td>
<td>Multiple locations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Units (by type) and Density</th>
<th>330 RV sites on 33.52 acres (Tracts 2 &amp; 3) = 9.8 sites per acre</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Tract 1 – 66 spaces</td>
<td>Tract 1– 66 spaces</td>
</tr>
<tr>
<td></td>
<td>Tract 2 &amp; 3 – 335 spaces</td>
<td>Tract 2 &amp; 3 – 335 spaces</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>HB – 60’</td>
<td>HB &amp; RS-30 – 1 story</td>
</tr>
<tr>
<td></td>
<td>RS-30 – 40’</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>HB – 85%</td>
<td>Total 47.43 % impervious for Tracts 1, 2 &amp; 3</td>
</tr>
<tr>
<td></td>
<td>RS-30 – NA</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter B, Article II, Section 2-1.2 (D) RS-30 District</td>
<td></td>
</tr>
<tr>
<td>Chapter B, Article II, Section 2-1.3 (I) HB District</td>
<td></td>
</tr>
<tr>
<td>Chapter B, Article II, Section 2-5.62 Recreational Vehicle Park Use Conditions</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with</th>
<th>Chapter B, Article VII, Section 7-5.3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Legacy policies:</td>
<td>See comments above</td>
</tr>
<tr>
<td>(B) Environmental Ord.</td>
<td>NA</td>
</tr>
<tr>
<td>(C) Subdivision Regulations</td>
<td>NA</td>
</tr>
</tbody>
</table>

Analysis of Site Plan Compliance with UDO Requirements

As noted previously, the subject property is divided into three tracts with the RV dealership being located on Tract 1 and the RV park located on Tracts 2 & 3. The basis for having approximately ½ of the park zoned HB-S (Tract 2) as opposed to RS-30-S (Tract 3) relates to the different requirements for such parks in the UDO for each of these districts. Specifically, the maximum density in the HB District is 15 recreational vehicle spaces per acre whereas the maximum density in the RS-30 District is 10 spaces per acre. Similarly, the minimum site area for each recreational vehicle in the HB District is 1,500 sf whereas in the RS-30 District it is 2,500 sf. Both districts require a 100’ setback for any recreational vehicles within a park. The proposed site plan shows much of this setback area, which is heavily wooded, to remain undisturbed.

The revised site plan complies with the requirements of the UDO.

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>The Town of Rural Hall is supportive of the subject request.</td>
<td>Alternative provisions for sanitary sewer will require approval from the Forsyth County Health Department.</td>
</tr>
<tr>
<td>Request would allow for the expansion of an existing business.</td>
<td>Request will significantly increase traffic on University Parkway compared with the current</td>
</tr>
</tbody>
</table>
Request is consistent with the RS-30 and HB purpose statements.

**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; additional improvements may be required prior to issuance of driveway permit.
  b. Petitioner shall obtain all required permits from the Forsyth County Health Department.
  c. Developer shall cordon off all areas shown on the site plan as buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Trees in all these areas shall be protected from grading encroachment in accordance with UDO requirements.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. An engineered lighting plan shall be submitted to Inspections for the proposed lighting demonstrating the use of full-cut off fixtures, light height of 25' or less and no more than 0.5 foot-candles at the property line.
  b. Petitioner shall obtain the closure of any platted unopened right-of-way on site.
  c. Prior to the issuance of any building permits for either Tract 2 or Tract 3 the petitioner shall record a plat recording the right-of-way dedication for Rally Park Drive.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All required improvements of the NCDOT driveway permit shall be completed.
  b. Lighting shall be installed per approved lighting plan and certified by an engineer.

**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

MOTION: Clarence Lambe moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions and deletion of the uses Building Materials Supply; General Merchandise Store; Restaurant (with drive-through service); Shopping Center; Banking & Financial Services; Funeral Home; Hotel or Motel; Kennel, Indoor; Kennel, Outdoor; and Motor Vehicle Storage Yard.
SECOND: Arthur King
VOTE:
FOR: Jerry Clark, Wesley Curtis, Arthur King, Clarence Lambe, Lynne Mitchell, Brenda Smith
AGAINST: Carol Eickmeyer
EXCUSED: None

Written Comments Submitted by Planning Board Members:

Carol Eickmeyer: Against - too many uses on the site. This is a special use permit - generally this is to restrict certain uses - & have a site plan - There are some things remaining on the list - like Health Services & Veterinary & Labs, Churches that should have to come back for review for use of the site.

According to information furnished on July 28, 2008 by the Office of the Tax Assessor, the subject property was in the name of JP & SP LLC and Janet Lee Bennett. However, a deed conveying ownership from Ms. Bennett to the petitioner is on file.

A. Paul Norby, FAICP
Director of Planning