DOCKET #: F1455

PROPOSED ZONING:
Site Plan Amendment

EXISTING ZONING:
RM12-S (Residential, Multifamily)

PETITIONER:
George W. Sparks Construction Co. for property owned by Same

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRES: 21.55

MAP(S): 612902
March 22, 2006

George W. Sparks Construction Co.  
c/o Jack L. Sparks, President  
P. O. Box 846  
Clemmons, NC 27012

RE: SITE PLAN AMENDMENT F-1455

Dear Mr. Sparks:

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  
   Robert Wilson, 175 Davidson Hwy, Concord, NC 28107
FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: ________________________ AGENDA ITEM NUMBER: _______

SUBJECT:-

A. Public Hearing on Site Plan Amendment of George W. Sparks
   Construction Co. for property zoned RM-12-S (Residential Building,
   Multifamily): property is located on the east side of Bethania-Rural Hall
   Road north of Perth Road (Zoning Docket F-1455).

B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning
   Map.

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 site plan
amendment.

ATTACHMENTS:-   X YES     ___NO

SIGNATURE: ________________________________ DATE: _________________

County Manager
COUNTY ORDINANCE - SPECIAL USE

Site Plan Amendment of George W. Sparks Construction Co., Docket F-1455

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 Forsyth County, N.C. are hereby amended by granting a Site Plan Amendment for property zoned RM-12-S (Residential Building, Multifamily - Site Plan Amendment) and described as follows:

Tax Lots 17B, 18, 19B, 20C, and 21 Tax Block 4936

Section 2. This Ordinance is adopted after approval of the site plan entitled Summerwood Apartment Homes and identified as Attachment "A" of the Special Use District Permit issued by the Board of Commissioners the ______ day of __________________, to George W. Sparks Construction Co.

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 Summerwood Apartment Homes. 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 Board of Commissioners
of Forsyth County

The Board of Commissioners of Forsyth County issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of George W. Sparks Construction Co., (Zoning Docket F-1455). 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 RM-12-S (Residential Building, Multifamily - Site Plan Amendment), 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 RM-12-S 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 GRADING PERMITS:
  a. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:
  a. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show tentative building locations for multifamily units and all access, utility and greenway easements. Said greenway easement shall be 40’ in width shall run along one side of the unnamed branch which traverses the center of the subject property and flows into Grassy Creek.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:
  a. Developer shall install all improvements a per driveway permit.
  b. All required fire hydrants shall be installed in accordance with the County Fire Department.
  c. Signage shall be limited to one (1) monument sign with a maximum height of six (6) feet.
  d. Developer shall install all required storm water management devices.
### PETITION INFORMATION

<table>
<thead>
<tr>
<th><strong>Docket #</strong></th>
<th>F-1455</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff</strong></td>
<td>Gary Roberts</td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
<td>George W. Sparks Construction Company</td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
<td>Same</td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
<td>Tax Lots 17B, 18, 19B, 20C, and 21 / Tax Block 4936</td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
<td>Site Plan Amendment for RM-12-S zoned property to relocate driveway entrance onto Bethania-Rural Hall Road.</td>
</tr>
</tbody>
</table>
| **Proposal** | The petitioner is requesting a Site Plan Amendment to F-1439 in order to move the location of the driveway on Bethania-Rural Hall Road. The petitioner is requesting the following uses:  
  - Residential Building, Multifamily |
| **Zoning District Purpose Statement** | The RM-12 District is primarily intended to accommodate multifamily uses at a maximum overall density of twelve (12) units per acre. This district is appropriate for Growth Management Areas 1, 2, and 3. |

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th><strong>Location</strong></th>
<th>East side of Bethania-Rural Hall Road north of Perth Road</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Jurisdiction</strong></td>
<td>Forsyth County</td>
</tr>
<tr>
<td><strong>Site Acreage</strong></td>
<td>Approximately ± 21.55 acre</td>
</tr>
<tr>
<td><strong>Current Land Use</strong></td>
<td>Site is currently undeveloped.</td>
</tr>
<tr>
<td><strong>Physical Characteristics</strong></td>
<td>The site is currently undeveloped and primarily covered with mature vegetation. The property has a moderate to steep slope downward toward a branch located in the east central section of the site. Grassy Creek is located approximately 500 feet east of the site.</td>
</tr>
<tr>
<td><strong>Analysis of General Site Information</strong></td>
<td>The site is suitable for the proposed improvements which include 152 multifamily residential units.</td>
</tr>
<tr>
<td><strong>Generalized Recommended Conditions</strong></td>
<td>See previously approved conditions below.</td>
</tr>
</tbody>
</table>

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th><strong>Street Name</strong></th>
<th><strong>Classification</strong></th>
<th><strong>Frontage</strong></th>
<th><strong>ADT Count</strong></th>
<th><strong>Capacity/LOS D</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bethania-Rural Hall Road</strong></td>
<td>Major Thoroughfare</td>
<td>1,018’</td>
<td>12,000</td>
<td>18,500</td>
</tr>
<tr>
<td><strong>Proposed Access Point(s)</strong></td>
<td>Bethania-Rural Hall Road (130 feet south of the previously approved location)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sidewalks</strong></td>
<td>No sidewalks are currently located adjacent to the subject property. Sidewalks are proposed along the frontage of Bethania-Rural Hall Road. While the approved plan illustrates said sidewalk being located adjacent</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
to the curb of Bethania-Rural Hall Road, staff recommends that the proposed sidewalk be setback a minimum of 6.5’.

<table>
<thead>
<tr>
<th>Connectivity</th>
<th>The site plan shows one private driveway entrance onto Bethania-Rural Hall Road with no external connectivity.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Analysis of Site Access and Transportation Information</td>
<td>The purpose of the subject Site Plan Amendment is to relocate the driveway entrance to the site on Bethania-Rural Hall Road approximately 130’ to the south. The County’s resolution for Minor Changes to site plans specifies that entrance relocations must be reviewed through the Site Plan Amendment process. This relocation is being requested by Duke Power and would move the entrance further away from a transmission tower. The proposed relocation will not result in any land disturbing activity taking place closer to the adjacent single family residence. Staff has no concerns associated with the requested relocation.</td>
</tr>
<tr>
<td>Generalized Recommended Conditions</td>
<td>See previously approved conditions below.</td>
</tr>
</tbody>
</table>

### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>GMA 3 Suburban Neighborhoods</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Legacy Recommendations</td>
<td>Legacy recommends higher density infill development at appropriate locations.</td>
</tr>
<tr>
<td>Relevant Area Plan(s)</td>
<td>• The site is not within the boundaries of an area plan or development guide.</td>
</tr>
<tr>
<td>Thoroughfare Plan Information</td>
<td>The Thoroughfare Plan recommends the addition of sidewalks along Bethania-Rural Hall Road.</td>
</tr>
<tr>
<td>Other Applicable Plans and Planning Issues</td>
<td>The property is located within the corporate limits of the Town of Rural Hall. The Town is in support of the proposed driveway relocation.</td>
</tr>
<tr>
<td>Analysis of Conformity to Plans and Planning Issues</td>
<td>The proposed request is generally consistent with the development principles of Legacy.</td>
</tr>
<tr>
<td>Generalized Recommended Conditions</td>
<td>See previously approved conditions below.</td>
</tr>
</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Units (by type) and Density</th>
<th>7.05 multifamily units per acre (152 units)</th>
</tr>
</thead>
<tbody>
<tr>
<td>UDO Sections Relevant to Subject Request</td>
<td>• Chapter B, Article II, Section 2-1.2 (M) RM-12 Residential, Multifamily District</td>
</tr>
<tr>
<td>Complies with Chapter B, Article VII, Section 7-5.3</td>
<td>(A) Legacy policies: See comments above</td>
</tr>
<tr>
<td>(B) Environmental Ord.</td>
<td>Yes</td>
</tr>
<tr>
<td>(C) Subdivision Regulations</td>
<td>N/A</td>
</tr>
<tr>
<td>Analysis of Site</td>
<td>No changes to the approved site plan are being proposed other than the</td>
</tr>
</tbody>
</table>
Plan Compliance with UDO Requirements

- proposed driveway relocation. Staff recommends that the proposed sidewalk along Bethania-Rural Hall Road be setback a minimum of 6.5’ from the back of curb. Multiple non-substantive corrections such as the designation of a van accessible space at the club house and correcting the docket number reference on the site plan need to be made. It is anticipated the revised site plan will comply with the requirements of the UDO.

Generalized Recommended Conditions

- See previously approved conditions below.

REMAINING SITE PLAN ISSUES

<table>
<thead>
<tr>
<th>Issue</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide a minimum 6.5’ spacing between the proposed sidewalk and the curb of Bethania-Rural Hall Road</td>
<td>Awaiting revised site plan.</td>
</tr>
<tr>
<td>Multiple non-substantive corrections</td>
<td></td>
</tr>
</tbody>
</table>

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>Proposed driveway relocation will place the proposed entrance further away from a Duke Power transmission tower.</td>
<td></td>
</tr>
</tbody>
</table>

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

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- Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show tentative building locations for multifamily units and all access, utility and greenway easements. Said greenway easement shall be 40’ in width shall run along one side of the unnamed branch which traverses the center of the subject property and flows into Grassy Creek.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- Developer shall install all improvements a per driveway permit.
- All required fire hydrants shall be installed in accordance with the County Fire Department.
- Signage shall be limited to one (1) monument sign with a maximum height of six (6) feet.
- Developer shall install all required storm water management devices.

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 site plan amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Paul Mullican
VOTE:
  FOR: Jerry Clark, Carol Eickmeyer, Arnold King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith
  AGAINST: None
  EXCUSED: None

According to information furnished by the Office of the Tax Assessor on February 3, 2006, the subject property was in the name of George W. Sparks Construction Co., Rural Hall Sanitary District, and Sparks Contracting, Inc.

A. Paul Norby, AICP
Director of Planning