DOCKET #: F1432

PROPOSED ZONING:
LI-S (Multiple Uses) - TWO PHASE

EXISTING ZONING:
AG

PETITIONER:
Winston-Salem Alliance and the City of Winston-Salem for property owned by Same

SCALE: 1" represents 1000'
STAFF: Roberts
GMA: 4
ACRE(S): 17.2
MAP(S): 666842
May 25, 2005

Winston-Salem Alliance and the City of Winston-Salem
c/o Mr. Allen Joines
100 N. Main Street
Winston-Salem, NC  27101

RE:    ZONING MAP AMENDMENT F-1432

Dear Mr. Joines:

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
       Doug Stimmel, 601 N. Trade Street, Winston-Salem, NC  27101
       Laurie Moses, 1650 Union Cross Road, Kernersville, NC  27284
SUBJECT:-

A. Public Hearing on zoning map amendment of Winston-Salem Alliance and the City of Winston-Salem from AG to LI-S [(Arts and Crafts Studio; Building Materials Supply; Wholesale Trade, A; Wholesale Trade, B; Banking & Financial Services; Building Contractors, General; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental & Leasing; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Facility, Public; Academic Medical Center; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Day Care Center; College or University; Government Offices; Hospital or Health Center; Police or Fire Station; Post Office; Postal Processing Facility; Schools, Vocational or Professional; Manufacturing A; Manufacturing B; Broadcast Studio; Helistop; Park & Shuttle Lot; Parking, Commercial; and Transmission Tower - TWO PHASE)]; property is located on the west side of Union Cross Road, north of Temple School Road (Zoning Docket F-1432).

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 rezoning petition.

ATTACHMENTS:-  X YES  ___ NO

SIGNATURE: _______________________________  DATE: ______________

County Manager
COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Winston-Salem Alliance and the City of Winston-Salem, Docket F-1432

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 LI-S [(Arts and Crafts Studio; Building Materials Supply; Wholesale Trade, A; Wholesale Trade, B; Banking & Financial Services; Building Contractors, General; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental & Leasing; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Facility, Public; Academic Medical Center; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Day Care Center; College or University; Government Offices; Hospital or Health Center; Police or Fire Station; Post Office; Postal Processing Facility; Schools, Vocational or Professional; Manufacturing A; Manufacturing B; Broadcast Studio; Helistop; Park & Shuttle Lot; Parking, Commercial; and Transmission Tower - TWO PHASE)] the zoning classification of the following described property:

Commencing at NCGS Monument "Stephens", said Monument having North Carolina Grid Coordinates (NAD83): North 841,569.79; East 1,670,743.73; Combined Factor: 0.9999300; thence from said Monument North 49° 51’ 32" west 3,059.64 feet ground distance (3,059.43 feet
grid distance) to an existing axle, the BEGINNING and being the northeast corner of Lot 2, Tax Block 5626 as recorded in Deed Book 2420, Pg. 2074 and also being the southeast corner of the property recorded in Deed Book 2545, Pg. 1078; thence with the northern line of said Lot 2 north 89º 38' 31" west crossing an existing bent iron at 476.05 feet and continuing 9.05 feet to an existing 7/8" iron for a total of 485.10 feet, the northwest corner of said Lot 2, and being the southwest corner of said property recorded in Deed Book 2545, Page 1078 and also being the northeast corner of Lot 201, Tax Block 5626 as recorded in Deed Book 2524, Page 4150 and the southeast corner of the property recorded in Deed Book 2553, Page 772; thence with the northern line of said Lot 201 and the southern line of the property recorded in Deed Book 2553, Page 772 north 89º 38' 31" west 500.83 feet to an existing 7/8" iron and being the northwest corner of said Lot 201 and the southwest corner of the property described in Deed Book 2553, Page 772; thence with the said property described in Deed Book 2553, Page 772 the following three (3) courses and distances: 1) north 01º 08' 12" east 758.26 feet to an existing 7/8" iron, the northwest corner of said property; thence 2) south 88º 51' 46" east 470.98 feet to an existing 7/8" iron, the northeast corner of said property; thence 2) south 02º 14' 05" east 552.58 feet to an existing 7/8" iron, the northwest corners of the property described in Deed Book 2545, Page 1078; thence with the northern line of the property described in Deed Book 2545, Page 1078 south 89º 38' 28" east 489.34" to an existing 7/8" iron, in the western line of Lot 4B, Tax Block 5626, as recorded in Deed Book 661, Page 342; thence with the western line of said Lot 4B south 03º 28' 27" east 9.92 feet to an existing 7/8" iron, the southwest corner of the property described in Deed Book 2535, Page 1316; thence with the northern line of said property described in Deed Book 2535, Page 1316 south 83º 57' 32" east 2,685.02 feet to an existing 7/8" iron and the southeast corner of the property described in Deed Book 2552, Page 3232; thence with the western and northern line of said property the following three (3) courses and distances: 1) north 57º 15' 10" east 122.47 feet to an existing 7/8" iron; thence 2) north 16º 52' 08" east 147.05 feet to an existing 7/8" iron; thence 3) south 73º 07' 52" east 7.50 feet to an existing 7/8" iron in the western right-of-way of Union Cross Road; thence with the said western right-of-way south 16º 52' 08" west crossing an existing 7/8" iron at 223.73 feet the southeast corner of said property and the northeast corner of the property described in Deed Book 2535, Page 1316 and continuing 101.81 feet for a total of 325.54 feet to an existing 3/4" bent iron, the southeast corner of the property described in Deed Book 2535, Page 1316 and the northeast corner of Lot 26A, Tax Block 5626 as recorded in Deed Book 2111, Page 1236; thence with the northern line of said Lot 26A and the southern line of the property described in Deed Book 2535, Page 1316 North 83º 57' 32" west 249.92 feet, the northwest corner of said Lot 26A thence continuing with the southern line of the property described in Deed Book 2535, Page 1316 North 83º 57' 32" west 2,499.91 feet to an existing axle, the northwest corner of Lot 26D, Tax Block 5626 as recorded in Deed Book 660, Page 21 and the southwest corner of the property described in Deed Book 2535, Page 1316, thence with the western line of said Lot 26D south 02º 41' 57" west 89.98 feet to the place of beginning and containing 17.1952 acres more or less and being the property described in Deed Book 2545, Page 1078, Deed Book 2553, Page 772, Deed Book 2535, Page 1316, and Deed Book 2552, Page 3232 and being shown on a map prepared by Brady Surveying Company, P.A.

Section 2. This Ordinance is adopted after approval of the site plan entitled Winston-Salem Alliance and the City of Winston-Salem, and identified as Attachment A of the Special
Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of ________________, 20____ to Winston-Salem Alliance and the City of Winston-Salem.

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 *Winston-Salem Alliance and the City of Winston-Salem*. 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 Winston-Salem Alliance and the City of Winston-Salem (Zoning Docket F-1432). 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 LI-S [(Arts and Crafts Studio; Building Materials Supply; Wholesale Trade, A; Wholesale Trade, B; Banking & Financial Services; Building Contractors, General; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental & Leasing; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Facility, Public; Academic Medical Center; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Day Care Center; College or University; Government Offices; Hospital or Health Center; Police or Fire Station; Post Office; Postal Processing Facility; Schools, Vocational or Professional; Manufacturing A; Manufacturing B; Broadcast Studio; Helistop; Park & Shuttle Lot; Parking, Commercial; and Transmission Tower - TWO PHASE)], 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 LI-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 ANY LAND DISTURBING ACTIVITY
  a. Grading permits must be issued by the North Carolina Department of Environment and Natural Resources (DENR) since this is a construction project of an agency of the City of Winston-Salem.
  b. 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 Section 3-4.2(H)(3).
  c. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  d. Developer shall obtain a driveway permit from the North Carolina Department of Transportation.

• OTHER REQUIREMENTS
  a. The Final Development Plan shall be reviewed by City-County Planning staff in accordance with the initial site plan, volunteered conditions, and portions of the Southeast Forsyth County/Union Cross Area Plan, Design Guidelines for New Business Parks (see Exhibit A.).

• VOLUNTEERED CONDITIONS
  a. Where loading docks are located closer than 300 feet to adjacent residential properties, additional landscaping, berming, or other site improvements will be required as necessary to meet the intent of the Southeast Forsyth County/Union Cross Area Plan guidelines, and approved by Planning Staff.
ZONING STAFF REPORT

DOCKET # F-1432
STAFF: Gary Roberts

Petitioner(s): Winston-Salem Alliance and the City of Winston-Salem
Ownership: Same

REQUEST

From: AG Agricultural District; 40,000 sf minimum lot size.
To: LI-S Limited Industrial District; [Arts and Crafts Studio; Building Materials Supply; Wholesale Trade, A; Wholesale Trade, B; Banking & Financial Services; Building Contractors, General; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental & Leasing; Non-Store Retailer; Offices, Miscellaneous; Professional Offices; Services, Business A; Services, Business B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Facility, Public; Academic Medical Center; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Day Care Center; College or University; Government Offices; Hospital or Health Center; Police or Fire Station; Post Office; Postal Processing Facility; Schools, Vocational or Professional; Manufacturing A; Manufacturing B; Broadcast Studio; Helistop; Park & Shuttle Lot; Parking, Commercial; and Transmission Tower - TWO PHASE]

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

Acreage: 17.2

LOCATION:

Street: West side of Union Cross Road, north of Temple School Road.
Jurisdiction: Forsyth County.

SITE PLAN

Proposed Use: Business Park.
Square Footage: No structures are shown on the site plan.
Building Height: 70 foot maximum allowed under the LI-S District.
Parking: Required: 170± tractor trailer parking spaces shown in association with improvements shown on adjoining property.
Bufferyard Requirements: 50 foot type IV where adjacent to residential zoning.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.
PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Site is undeveloped previously used as farmland.
Adjacent Uses:
- North: Undeveloped property zoned AG.
- East: Single family home and accessory agricultural buildings zoned AG.
- Southeast: Farmland and single family home with accessory agricultural buildings zoned AG.
- Southwest: Industrial uses under construction zoned LI-S.
- West: Industrial uses under construction zoned LI-S.

GENERAL AREA

Character/Maintenance: Rapidly evolving business park amidst rural farmland interspersed with residential subdivisions.
Development Pace: Moderate to rapid.

HISTORY

Relevant Zoning Cases:

1. W-2744; Forsyth County LI-S to City of Winston-Salem LI-S (Multiple Uses - TWO PHASE); approved January 18, 2005; north and south sides of Temple School Road; 208.44 acres; Planning Board and staff recommended approval.

2. F-1421; AG to LI-S (Multiple Uses - TWO PHASE); approved December 20, 2004; north side of Temple School Road, west of Union Cross Road, adjoins southern side of subject property; ±18 acres; Planning Board and staff recommended approval.

3. F-1400; AG to RM-8-S (Planned Residential Development; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Multifamily; Residential Building, Twin Home; and Residential Building, Townhouse); approved April 12, 2004; north side of High Point Road east side of Union Cross Road; 87.06 acres; Planning Board and staff recommended approval.

4. F-1391; AG and RS-20 to LI-S (Multiple Uses - TWO PHASE); approved September 8, 2003; north and south sides of Temple School Road north of High Point Road and west of Union Cross Road; 190.44 acres; Planning Board and staff recommended approval.

5. F-1339; AG and RS-20 to RS-15-S (Residential Building, Single Family; and Planned Residential Development); approved June 25, 2001; 43.14 acres; south side of Glenn Hi Road west of Witwould Lane and west of Valjean Lane; Planning Board and staff recommended approval.
PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Substantial grading to accommodate improvements shown on proposed site plan.
Topography: Gentle to moderate slope downward to the east and west from the central section of the site.
Streams: Two perennial streams that feed into Swaim Creek to the northwest traverses through the eastern and western section of the subject property.
Vegetation/habitat: No significant vegetation is located on the subject property.
Floodplains: None.
Wetlands: No wetlands are located on the subject property.
Natural Heritage Sites: None.
Farmland Preservation Sites: None.
Environmental Resources Beyond the Site: Ponds shown on the National Wetlands Inventory Map (Kernersville Quad) as PUBHh (Palustrine Unconsolidated Bottom Permanently Flooded Diked Impounded) wetlands are located just north of the site. Some of the petition site drains into these ponds.
Water Supply Watershed: The subject property is not located in a water supply watershed.
Compliance with Federal/State requirements for wetland/stream protection: The proposed site plan shows crossing of a tributary of Swaim Creek. The petitioner is responsible for complying with all State and Federal stream and wetland protection regulations.
Amount of AG Zoned Land Rezoned to Other Districts Since the Creation of the AG District on December 31, 1994: 1,754.26 acres; Balance: 59,762.27 acres. Note: If F-1428 is approved the number would change to 1,774.37 with a balance of 59,74.16 acres.

TRANSPORTATION

Direct Access to Site: Union Cross Road.
Street Classification: Union Cross Road – Major Thoroughfare.
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Union Cross Road between High Pont Road and Hedgecock Road – 9,400/11,100
Trip Generation/Existing Zoning: AG
43,560 x 17.2 acres/40,000 = 18 units x 9.57 (SFR Trip Rate) = 172 Trips per Day
Trip Generation/Proposed Zoning: LI-S
While the subject request included 17.2 acres of LI-S property, no buildings are shown which would generate traffic in and of themselves. The parking and vehicular circulation improvements shown on the proposed site plan are in support of the building improvements on the adjoining properties as were approved under W-2744, F-1421 and F-1391. A TIS was submitted in conjunction with said initial rezonings which analyzed the proposed trip rates.
Planned Road Improvements: Various improvements to Union Cross Road, Temple School Road and High Point Road associated with the Alliance Science and Technology Park.
Interior Streets: Proposed public street traverses the length of the site.
Traffic Impact Study recommended: A TIS was previously prepared for the larger business park; an additional study is not required for the subject request.

Connectivity of street network: No street stubs to adjacent properties are shown.

Sidewalks: No sidewalks are currently located in the general area or within the subject property.

Transit: None.

**CONFORMITY TO PLANS**

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): The economic development goal in *Legacy* is to “attract environmentally sensitive new businesses and expand existing large and small businesses to provide a broad range of employment opportunities and a high quality of life for people living and working in Forsyth County.” In order to meet that goal the plan recommends that the community recognize the scarcity of “greenfield” industrial sites and promote the wisest economic use of those limited resources. The plan also recommends that economic development be compatible with existing residential neighborhoods and that all development be done in an environmentally sensitive way.


Relevant Development Guide Recommendation(s): The *Union Cross/Southeast Forsyth County Area Plan* recommends the subject property be developed as part of a comprehensive business park, utilizing the recommended design guidelines for business parks contained in the plan.

**ECONOMIC DEVELOPMENT**

Prime Industrial Site: The subject site is between two tracts of the existing 208± acre Alliance Science and Technology Park. Although this site is not formally included in the *Industrial Sites Handbook* (1990), it has been evaluated as a potential industrial site for several years. Public water is currently available and public sewer is currently available along Swaim Creek.

Available Infrastructure: Public water and sewer service is currently available nearby and can be provided with relative ease to the site. The site has good access to US 311 and I-40 via Union Cross Road.

**ANALYSIS**

This petition is to rezone 17.2 acres from AG to LI-S (TWO PHASE). The property is located on the west side of Union Cross Road, north of Temple School Road and has until recently been used for agricultural purposes. The surrounding development pattern is primarily undeveloped and agricultural in character. However, recent large scale, industrial rezoning and construction activity on adjoining properties testifies to the transitional nature of the general area.

In 2003, over 190 acres on both the north and south sides of Temple School Road were rezoned to LI-S (TWO PHASE) in order to accommodate the proposed Alliance Science and Technology Park (F-1391). As a part of Planning staff’s review for this initial rezoning, staff analyzed not
only the localized land use impacts of the proposed business park but also the strategic economic needs of all of Forsyth County. Specifically, the following factors were evaluated: Forsyth County’s industrial site needs; the suitability of the proposed location; and the effectiveness of the proposed site plan in mitigating various impacts to adjacent neighbors and the surrounding area.

Based upon a detailed analysis, staff recommended approval of said rezoning and noted that it should be considered the first installment of an even larger business park. The second installation took place in 2004 and consisted of an additional 18 acres which abutted the southern side of subject property (F-1421). The proposed site plan conceptually illustrates a large parking lot for tractor trailers and public street (Dell Boulevard) which runs east and west parallel with Temple School Road and connects the site directly to Union Cross Road.

This plan has been submitted as an LI-S (TWO PHASE) project with the requested provision that the second phase site plan be approved at the staff level. The conditions attached to the previously approved, large scale rezoning, would also be applicable to the subject property. These include adherence to most if not all of the Design Guidelines for New Business Parks found within the Southeast Forsyth County/Union Cross Area Plan. Special design features will be utilized in order to address those guidelines that cannot practically be met on this site.

The site is identified in the Southeast Forsyth County/Union Cross Area Plan as part of a larger comprehensive business park. Based upon the land use recommendations contained within the plan, once the business park zoning in its entirety is established, it would not set a precedent for other commercial uses in the area beyond the boundaries as identified in the plan.

Staff recommends approval of this request as being consistent with both the adopted area plan and the previously approved LI-S (TWO PHASE) zoning which was designated on the adjoining parcels.

**FINDINGS**

1. The request proposes a 17.2 acre addition to the existing 208± acre, Alliance Science and Technology Park, which is now under construction.

2. New business park sites in large consolidated tracts are considered a strategic economic need by county economic development leaders and by Planning staff.

3. Portions of the Union Cross area, and specifically the subject site, embody many key criteria of quality industrial development, i.e., large acreage, good topography, good transportation access and central Triad location. Public water and sewer are available to the site.

4. The Union Cross/Southeast Forsyth County Area Plan, adopted in 2004, recommends this site as part of one of the five business parks in the plan.
5. A large, comprehensively planned business park site offers opportunities to address many issues such as traffic, storm water management, open space retention and other concerns which are more difficult to address if the same property and acreage were to be developed piecemeal.

STAFF RECOMMENDATION

Zoning: **APPROVAL**
Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions:

- **PRIOR TO ANY LAND DISTURBING ACTIVITY**
  a. Grading permits must be issued by the North Carolina Department of Environment and Natural Resources (DENR) since this is a construction project of an agency of the City of Winston-Salem.
  b. 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 Section 3-4.2(H)(3).
  c. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  d. Developer shall obtain a driveway permit from the North Carolina Department of Transportation.

- **OTHER REQUIREMENTS**
  a. The Final Development Plan shall be reviewed by City-County Planning staff in accordance with the initial site plan, volunteered conditions, and portions of the Southeast Forsyth County/Union Cross Area Plan, Design Guidelines for New Business Parks (see Exhibit A.).

- **VOLUNTEERED CONDITIONS**
  a. Where loading docks are located closer than 300 feet to adjacent residential properties, additional landscaping, berming, or other site improvements will be required as necessary to meet the intent of the Southeast Forsyth County/Union Cross Area Plan guidelines, and approved by Planning Staff.

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.
SECOND: Dara Folan
VOTE:
  FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Norwood, Smith
  AGAINST: None
  EXCUSED: None

According to information furnished by the Office of the Tax Assessor on April 22, 2005, the subject property was in the name of Edna C. Edwards. Subsequent deeds have been recorded transferring ownership to the City of Winston-Salem.

____________________________________
A. Paul Norby, AICP
Director of Planning