



DOCKET #: F1362

PROPOSED ZONING:
LB-S (Nursery, Lawn and
Garden Supply Store, Retail)

EXISTING ZONING:
RS30

PETITIONER:
Fred Hester Pegram, Jr.

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 1.25

MAP(S): 582846, 588846



DRAFT ZONING STAFF REPORT

DOCKET # F-1362

STAFF: Gary Roberts

Petitioner(s): Fred Hester Pegram, Jr.

Ownership: Same

REQUEST

From: RS-30 Residential Single Family District; minimum lot size 30,000 sf

To: LB-S Limited Business District (Nursery, Lawn and Garden Supply Store, Retail)

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

Acreage: 1.25 acres

LOCATION

Street: West side of Lewisville-Clemmons Road south of Holder Road.

Jurisdiction: Forsyth County.

SITE PLAN

Proposed Use: Nursery, Lawn and Garden Supply Store, Retail.

Square Footage: 150 sf plus 6,465 sf of display and storage area.

Building Height: One story.

Parking: Required: eight spaces; proposed: eight spaces.

Bufferyard Requirements: Type II buffer adjacent to RS-30.

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Multiple greenhouse and storage buildings.

Adjacent Uses:

North -	Large lot single family residential zoned RS-30.
East -	Large lot single family residential zoned RS-9.
South -	Large lot single family residential zoned RS-30.
West -	Large lot single family residential zoned RS-30.

GENERAL AREA

Character/Maintenance: Well maintained single family residential homes with some modest sized commercial operations in the general vicinity, along a major thoroughfare, soon to be widened.

Development Pace: Moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: No additional development proposed.

Topography: Gradual slope downward toward the west.

Vegetation/habitat: Site is currently developed, some trees remain.

Water Supply Watershed: Yadkin River WS-IV.

Compliance with Watershed Protection Regulations: The maximum amount of impervious surface permitted in the WS-IV watershed for commercial projects in the balance of the watershed is 36%. While this limitation is only applicable to expansions in impervious surface and not existing development, the subject property, (which has now been subdivided from a larger lot), is already approximately 77% impervious.

TRANSPORTATION

Direct Access to Site: Lewisville-Clemmons Road.

Street Classification: Major thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Lewisville-Clemmons Road between Peace Haven Road and Holder Road =
14,000/32,200

Trip Generation/Existing Zoning: RS-30

1.25 acres x 43,560/30,000 = 1 unit x 9.57 (SFR Trip Rate) = 9 trips per day

Trip Generation/Proposed Zoning: LB-S

7,607/1,000 x 36.08 (Nursery/Garden Center Trip Rate) = 274 trips per day

Planned Road Improvements: TIP #U 3119, Lewisville-Clemmons Road, multi lane widening with sidewalks on east side. Project scheduled to begin in 2007.

Interior Streets: See condition noted below in Other Requirements.

Sidewalks: Future installation or bonding of sidewalk along frontage of Lewisville-Clemmons Road recommended as a condition.

HISTORY

Relevant Zoning Cases:

1. F-1203; LB to HB; approved July 28, 1997; southeast corner of Lewisville-Clemmons Road and Holder Road, 500 feet northeast of current site; 0.66 acre; Planning Board and staff recommended approval.

2. F-973; R-5 and B-2 to B-2-S (Eating Establishments); approved November 26, 1990; east side of Lewisville-Clemmons Road approximately 250 feet northeast of current site; 1.10 acres; Planning Board and staff recommended approval.
3. F-258; R-5 to B-2; withdrawn September 11, 1972; west side of Lewisville-Clemmons Road approximately 500 feet south of current site; 3.7 acres; Planning Board and staff recommended denial.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): None.

Area Plan/Development Guide: *Clemmons Area Development Guide* (1998).

Relevant Development Guide Recommendation(s): Subject property is located within the Lewisville-Clemmons Road Campus District of the area plan. It is recommended that the subject property be developed for mixed-uses out of the RM, LO, LB and NSB zoning classifications. It further recommends that larger tracts of land (as opposed to smaller fragmented tracts of land) be developed together to create a more comprehensively planned area. Additionally, it recommends that this district incorporate the US 158 Corridor District Standards as design guidelines. The most applicable of those are as follows:

- Any rezoning request should be special use rezoning and the submittal should include landscape plans and building elevations;
- There shall be an easement dedicated to the Village of Clemmons for the construction of a sidewalk with a minimum width of 5'. Additionally, between the sidewalk and Lewisville-Clemmons Road, there shall be a minimum of 8' reserved for the planting of trees at intervals of no less than 50';
- Where practical, the main entrances to all buildings shall be oriented to the street frontage except for campus-like developments as permitted for larger land tracts.
- Where practical, shared driveway connections with cross access and stub street connections to adjacent properties may be required.
- New structures shall be village-like in character and similar to existing structures in terms of bulk, scale, orientation, massing, major divisions or rhythms in the facade, and the proportion and relationship of windows and doors to the total surface;
- Buildings shall encourage the use of canopies, balconies and arcades to delineate between the ground level and upper levels and the use of display windows on the ground level;
- Building materials - brick, wood or stone - roofing should be shingles;
- Roofs - should have slopes or pitched roofs;
- Facades - shall enhance the pedestrian environment with porches, columns and cornices. Solid walls and blank exteriors are discouraged;
- Windows - reflective glass and band windows are prohibited. Side walls of corner lots shall have windows similar to the front facade;
- Building height - two and one-half stories (2.5);

- All main entrances shall be oriented towards the street frontage;
- The color of the building shall be compatible with surrounding buildings. Earth tones are encouraged;
- Exterior features, such as fences, utilities, outdoor furniture, signs and displays, shall be compatible with the mass and scale of such other improvements in the area. Chain link fences are prohibited;
- Service areas are to be located to the side or rear of buildings in visually unobtrusive manner and must be properly screened;
- Parking - must be located to the side or rear of the buildings;
- Utilities - must be placed underground for new service drops;
- Signs - (see new Clemmons sign regulations)
- Driveways - where practicable, shared driveways should be used with cross access easements;
- Lighting - free standing exterior lights higher than 12' in height shall be of the "shoe-box" style and shielded to eliminate direct glare;
- Site Development Checklist requirements found in page 7 of the "Guide" that are applicable to all Special Use District rezoning requests.

ANALYSIS

The subject petition is for the rezoning of a 1.25 acre portion of a larger 6.29 acre lot located on the west side of Lewisville-Clemmons Road from RS-30 to LB-S. Currently located on the property is the Blanket Creek Nursery which is classified as a bonafide farm and now operates in compliance with the UDO standards for RS-30 property. Specifically, the request would allow said operation to operate as a full fledged nursery and sell various supplies not grown on the property such as seed, straw, fertilizer, pots etc.

The property adjoins the Village of Clemmons corporate limits which follows Lewisville-Clemmons Road. This area immediately west of Lewisville-Clemmons Road and south of Styers Ferry Road is within the future annexation area of Clemmons and included with the "Campus District" of the *Clemmons Area Development Guide*. The general character of the area is somewhat transitional in nature. Lewisville-Clemmons Road is now being widened from a two lane facility to a four lane divided facility. The surrounding land use pattern is a mixture of older large lot residential uses zoned RS-30 and RS-9 and more recent commercial establishments to the north zoned HB, LB and LB-S. The development guide recommends comprehensively planned mixed use with RM, LO, LB or NSB zoning categories. While the rezoning petition is only for the first 320 +/- feet of lot depth, the development guide mixed use area includes the entire lot depth of over 1,650 feet and extends from Styers Ferry Road south to the rear lot line of the homes which front along Kenbridge Drive.

In light of the specific development guidelines contained within the development guide for the subject property, staff would typically be reluctant to recommend approval of individual, small scale requests. However, because the current request involves an existing operation, proposes no substantial changes in use or any additional buildings, staff is not opposed to this request for LB-S.

However regarding the site plan there are some issues which need to be resolved in order to meet UDO requirements. The primary one being the Yadkin River WS-IV watershed impervious surface limits. The maximum area of impervious surface for projects without curb and gutter is 36%. The site plan depicts an existing impervious coverage of 77%. While existing impervious surface limits are only applicable to new development, because the subject property is a portion of a larger tax lot, the petitioner must either reduce the amount of impervious surface area or increase the size of the subject property. The latter option would entail the resubmittal of a new rezoning application. The remaining site plan issues are comparatively minor in nature and staff anticipates their resolution prior to the April 11 Planning Board meeting.

Staff recommends approval pending the resolution of the above mentioned site plan issues.

FINDINGS

1. *Legacy* includes no specific recommendations for the subject request.
2. *Clemmons Area Development Guide* recommends a comprehensively planned mixture of uses with RM, LO, LB or NSB zoning categories.
3. The request is generally compatible with the general character of the surrounding area.

STAFF RECOMMENDATION

Zoning: **APPROVAL** provided site plan can be modified to meet UDO requirements

Site Plan: Staff recommends the following conditions: (Shelly - NO RECOMMENDATION FOR OR AGAINST?????)

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
 - a. Streetyard and bufferyard trees shall be of a large variety as defined in UDO Section 3-4.10.
 - b. Petitioner shall have 90 days following rezoning approval to submit an engineer sealed report regarding what, if any, improvements are needed in order to bring the existing structures on site into compliance with the NC State Building Code.
- **OTHER REQUIREMENTS**
 - a. Signage shall be in accordance with Village of Clemmons sign ordinance.
 - b. Petitioner shall bond the cost of providing a sidewalk along Lewisville-Clemmons Road to be installed upon completion widening project.
 - c. Petitioner shall note that future rezoning requests for the remaining portion of Tax Lot 314, Block 4427 may be subject to a public street right-of-way dedication and improvement requirement as part of a future public street network designed to serve the mixed use Lewisville-Clemmons Road Campus District as referenced in the *Clemmons Area Development Guide*.

- d. Petitioner shall note that should the 25-foot access easement shown to serve the remaining portion of Lot 314 ever serve more than one single family residence, the 20-foot side street setback would be triggered and applicable to any structures adjacent to said easement.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Terry Powell moved withdrawal of the zoning map amendment and site plan.

SECOND: Philip Doyle

VOTE:

FOR: Bost, Clark, Doyle, King, Norwood, Powell

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning