



**DOCKET #:** F1348

**PROPOSED ZONING:**  
GI-S (Golf Driving Range)

**EXISTING ZONING:**  
AG

**PETITIONER:**  
Michael G. Kirkman,  
Stephen Ray Kirkman,  
and Ronald Sells

**SCALE:** 1" represents 600'

**STAFF:** Roberts

**GMA:** 4

**ACRE(S):** 22.8

**MAP(S):** 660834



October 24, 2001

Michael G. Kirkman, Stephen Ray Kirkman,  
and Ronald Sells  
1609 Deercroft Court  
Greensboro, NC 27407

RE: ZONING MAP AMENDMENT F-1348

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 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  
Elizabeth M. Koonce, 300 North Main Street, High Point, NC 27260

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

**MEETING DATE:** \_\_\_\_\_ **AGENDA ITEM NUMBER:**  
\_\_\_\_\_

**SUBJECT:-**

Zoning map amendment of Michael G. Kirkman, Stephen Ray Kirkman, and Ronald Sells

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-**

**SUMMARY OF INFORMATION:-**

Zoning map amendment of Michael G. Kirkman, Stephen Ray Kirkman, and Ronald Sells from AG to GI-S (Golf Driving Range): property is located on the west side of Wallburg Road south of Union Cross Road (Zoning Docket F-1348).

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

**ATTACHMENTS:-**     YES         NO

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

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COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Michael G. Kirkman, Stephen Ray Kirkman, and Ronald Sells, Docket F-1348

AN ORDINANCE AMENDING  
THE FORSYTH COUNTY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE COUNTY OF FORSYTH,  
NORTH CAROLINA

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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 (Golf Driving Range) the zoning classification of the following described property:

Beginning at a point in the center line of Wallburg Road, which point marks the northwest corner of the property of R. G. Kirkman, as described in deed recorded in Book 1895, Page 3466, in the Office of the Register of Deeds of Forsyth County, North Carolina; running thence along the center line of Wallburg Road the following seven (7) courses and distances: (1) north 21° 17' 32" east 5.47 feet to a point, (2) north 21° 18' 06" east 108.37 feet to a point, (3) north 23° 12' 58" east 112.23 feet to a point, (4) north 31° 40' 01" east 117.38 feet to a point, (5) north 38° 10' 41" east 110.30 feet to a point, (6) north 39° 45' 23" east 107.31 feet to a point, and (7) north 40° 38' 54" east 441.23 feet to a point; running thence a new line for Michael G. Kirkman, et al, south 47° 55' 18" east 923.72 feet to a point in the east line of the property of Michael G. Kirkman, et al; running thence along the east line of Michael G. Kirkman, et al, south 00° 55' 43" west 723.17 feet to an established iron pin in the north line of the property of Inez W. Motsinger as described in deed recorded in Book 1215, Page 129, Forsyth County Registry; running thence along the north line of Inez Motsinger north 87° 42' 50" west 791.22 feet to a new iron pin, the southeast corner of the property of R. G. Kirkman; running thence along the east line of R. G. Kirkman north 09° 40' 44" east 404.93 feet to a new iron pin, R. G. Kirkman's northeast corner; running thence along the north line of R. G. Kirkman north 79° 21' 11" west 532 feet to the point and place of Beginning, the

same containing approximately 22.802 acres shown as “Area to be Rezoned” on map prepared by Davis-Martin-Powell & Assoc., Inc. dated 5-29-2001, entitled: Boundary Survey for Union Cross Golf Center. Said property being part of Tax Lot 054D, Tax Block 5621.

Section 2. This Ordinance is adopted after approval of the site plan entitled Union Cross Golf Center, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to Michael G. Kirkman, Stephen Ray Kirkman, and Ronald Sells.

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 Union Cross Golf Center. 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 Michael G. Kirkman, Stephen Ray Kirkman, and Ronald Sells (Zoning Docket F-1348). 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 (Golf Driving Range), 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 ISSUANCE OF GRADING PERMITS**
  - a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.
  
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. On site fire hydrant locations shall be approved in writing by the Forsyth County Fire Department to the Inspections Division.
  - b. Customer parking lot to be located behind proposed office building.
  - c. Driveway permit must be issued by the North Carolina Department of Transportation (NCDOT).
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. All required fire hydrants shall be installed in accordance with the County Fire Department and Utilities Department.
  - b. Trees planted within the required street yard, thoroughfare overlay and type IV bufferyards shall be of large variety.

- **OTHER REQUIREMENTS**
  - a. One (1) free standing sign shall be permitted. Said sign shall be a monument type with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.
  - b. Proposed 20 foot driveway must have all weather surface.

## **ZONING STAFF REPORT**

**DOCKET #** F-1348

**STAFF:** Gary Roberts

Petitioner(s): Michael G. Kirkman, Stephen Ray Kirkman, and Ronald Sells

Ownership: Same

### **REQUEST**

From: AG Agricultural District

To: GI-S General Industrial District (Golf Driving Range)

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

Acreage: 22.8 acres

### **LOCATION**

Street: West side of Wallburg Road south of Union Cross Road.

Jurisdiction: Forsyth County.

### **SITE PLAN**

Proposed Use: Golf Driving Range.

Square Footage: 720 square feet.

Building Height: One story.

Parking: Required: 24 spaces; proposed: 28 spaces.

Bufferyard Requirements: 15 foot type IV bufferyard adjacent to AG.

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Site is vacant.

Adjacent Uses:

Northeast - Undeveloped property zoned AG.

East - Undeveloped property zoned AG.

South - Undeveloped property zoned AG.

Southwest - Single family residence zoned AG, and Union Cross Business Park zoned LI and LI-S.

Northwest - Union Cross County Recreation Park zoned IP.



## **GENERAL AREA**

Character/Maintenance: Surrounding area is a mixture of undeveloped property, public parkland and the Union Cross Business Park in good maintenance.

Development Pace: Moderate.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Removal of vegetation and grading will take place on a large portion of the site.

Topography: Moderate slope downward to the southeast.

Vegetation/habitat: Mixture of agricultural lands and woodlands.

Water Supply Watershed: Abbotts Creek Watershed, WS III.

Compliance with Watershed Protection Regulations: Nonresidential development not to exceed 24% impervious cover without SIDA.

## **TRANSPORTATION**

Direct Access to Site: Wallburg Road; Union Cross Road.

Street Classification: Wallburg Road - minor thoroughfare; Union Cross Road - major thoroughfare.

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

Wallburg Road - Union Cross Road to Gumtree Road - 3,800/11,000

Union Cross Road -

Wallburg Road to US 311 - 6,300/12,000

Ridgewood Road to Wallburg Road - 2,000/12,000

Trip Generation/Existing Zoning: 22.8 acres/40,000sf = 24 lots x 9.57 = 230 average daily trips.

Trip Generation/Proposed Zoning: 24 tees/driving positions x 0.80 (golf driving range for Saturday peak hour) = 19 trips on a Saturday Peak Hour.

Bike: Local Bike Route 24 along High Point Road; Mountains-to-Sea Route 2 along Wallburg Road.

## **HISTORY**

Relevant Zoning Cases:

1. F-1272; AG to RS-40; approved October 25, 1999; northwest side of Wallburg Road, between Business Park Drive and Sherlie Weavil Road; 1.0 acre; Planning Board and staff recommended approval.
2. W-2305; LI, LI-S to LI, LI-S, and GI; approved April 5, 1999; off the north side of Business Park Drive, west of Wallburg Road; 0.23 acre; Planning Board and staff recommended approval.

3. F-1175; AG to LI-S (Manufacturing A) and LI; approved November 11, 1996; west side of Wallburg Road, south side of Union Cross Road, and east side of Sawmill Road; 398.98 acres; Planning Board and staff recommended approval.

### **CONFORMITY TO PLANS**

*Legacy* Growth Management Area: Future Growth.

Relevant Comprehensive Plan Recommendation(s): The Open Space, Parks and Greenways chapter of *Legacy* notes that, based on accepted standards for the provision of parks and open space, communities within Forsyth County need to provide significant additional parks and open space to meet the need of our projected 365,000 population by the year 2015. One of the policies in *Legacy* says we should use existing institutional facilities including schools, libraries, places of worship, and private recreation facilities to meet recreation needs when possible.

Area Plan/Development Guide: The *Abbotts Creek Area Plan* is in the early stages of development.

### **ANALYSIS**

The subject request is to rezone approximately 22.8 acres on the east side of Wallburg Road from AG to GI-S (Golf Driving Range). The site is currently undeveloped with a mixture of agricultural fields and woodlands. Surrounding the property are similar rural land uses along with the newly established Union Cross Business Park and the County Union Cross Recreation Park. The subject property is however, distinguished from the Business Park property across Wallburg Road in that it falls within the Abbotts Creek watershed and cannot be served with gravity sewer.

The area does not fall within the boundaries of a completed development guide or area plan. The *Abbotts Creek Area Plan* is in the early stages of development. *Legacy* states that Forsyth County needs to provide significant additional parks and open space to meet the need of our projected 365,000 population by the year 2015. Staff sees the current request as complimentary to this goal and to the existing public recreational facility directly across Wallburg Road.

While the proposed use could be viewed as a somewhat temporary one, due to the limited building and site improvements needed, staff recommends approval with the note that such recommendation does not constitute approval of future requests for other GI uses on the subject or adjacent properties.

### **FINDINGS**

1. *Legacy* states that Forsyth County needs to provide significant additional parks and open space to meet the need of our projected 365,000 population by the year 2015.
2. The *Abbotts Creek Area Plan* is in the early stages of development.

3. The subject property falls within the water supply watershed of Abbotts Creek and cannot be served by gravity sewer.
4. The GI-S (Driving Range) petition is compatible with the surrounding recreational, industrial and large lot residential land uses.

### **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

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

- **PRIOR TO ISSUANCE OF GRADING PERMITS**
  - a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. On site fire hydrant locations shall be approved in writing by the Forsyth County Fire Department to the Inspections Division.
  - b. Customer parking lot to be located behind proposed office building.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. All required fire hydrants shall be installed in accordance with the County Fire Department and Utilities Department.
  - b. Trees planted within the required street yard, thoroughfare overlay and type IV bufferyards shall be of large variety.
- **OTHER REQUIREMENTS**
  - a. One (1) free standing sign shall be permitted. Said sign shall be a monument type with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.
  - b. Proposed 20 foot driveway must have all weather surface.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Philip Doyle moved approval of the zoning map amendment.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Bost, Clark, Doyle, King, Norwood, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Philip Doyle certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Bost, Clark, Doyle, King, Norwood, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Ronald E. Sells and Sara Jo Kirkman Heirs as of September 7, 2001. A letter from Elizabeth M. Koonce, attorney for the petitioners, certifies that Michael R. Kirkman and Stephen Ray Kirkman are the heirs of Sara Jo Kirkman. Said letter is on file in the Planning Board office.

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A. Paul Norby, AICP  
Director of Planning