DOCKET #: F1300

PROPOSED ZONING:
NO-S (Professional Office; and Medical & Surgical Office)

EXISTING ZONING:
RS9

PETITIONER:
Harold Gene Warren & Sharon C. Warren

SCALE: 1" represents 200'

STAFF: D. REED

GMA: 4A

ACRE(S): 0.67

MAP(S): 594854
May 24, 2000

Harold Gene and Sharon C. Warren  
160 Beauchamp Road  
Winston-Salem, NC  27106

RE:  ZONING MAP AMENDMENT  F-1300

Dear Mr. & Mrs. Warren:

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
MEETING DATE: ____________________________  AGENDA ITEM NUMBER: _________________

SUBJECT:-

Zoning map amendment of Harold Gene Warren and Sharon C. Warren

COUNTY MANAGER’S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning map amendment of Harold Gene Warren and Sharon C. Warren from RS-9 to NO-S (Professional Office; and Medical & Surgical Office): property is located on the west side of Beauchamp Road, north of Meadowlark Road (Zoning Docket F-1300).

ATTACHMENTS:-  X  YES  ___ NO

SIGNATURE: ___________________________________________ DATE: ______________________

FORSYTH COUNTY
BOARD OF COMMISSIONERS

F1300 May 2000 2
COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Harold Gene and Sharon C. Warren, Docket F-1300

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 RS-9 to NO-S (Professional Office; and Medical and Surgical Office) the zoning classification of the following described property:

BEGINNING at an existing iron pipe in the west right-of-way of Beauchamp Road (SR 1317), said iron being the northeast corner of Ronald S. Beauchamp, et al (D. B. 2014, Pg. 1351); Running thence north 84° 39' 02" west 210.42 feet to an existing iron rod; thence north 04° 59' 01" east 139.00 feet to a point; thence south 84° 39' 00" east 215.12 feet to a point in the west right-of-way of said Beauchamp Road; thence with said right-of-way, a curve to the left, having a radius of 1,057.43 feet, a chord of south 09° 52' 36" west 30.09 feet to a new iron pipe; thence with said right-of-way and same curve, a chord of south 06° 06' 24" west 109.01 feet to the point of Beginning and containing 0.674 acres± and being Tax Lot 10Z and the southern portion of 4Z, Block 4429, according to a survey by Cherry Land Surveyors, dated 4-4-00.

Section 2. This Ordinance is adopted after approval of the site plan entitled ProMed Assistance Group, Inc. and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _________________, 19____ to Harold Gene and Sharon C. Warren.
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 ProMed Assistance Group, Inc. 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 Harold Gene Warren and Sharon C. Warren (Zoning Docket F-1300). 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 NO-S (Professional Office; and Medical and Surgical Office), approved by the Forsyth County Board of Commissioners the _____ day of ________________, 19 ____" and signed, provided the property is developed in accordance with requirements of the NO-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 condition be met:

C OTHER REQUIREMENTS
   a. Signage shall be limited to one (1) sign with a maximum copy area of eight (8) square feet.
ZONING STAFF REPORT

DOCKET #  F-1300
STAFF:       David Reed

Petitioner(s): Harold Gene Warren & Sharon C. Warren
Ownership:    Same

REQUEST

From:       RS-9 Residential Single Family District; minimum lot size 9,000 sf
To:         NO-S Neighborhood Office District (Professional Office; and Medical and Surgical Offices)

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

Acreage:  0.67 acre

LOCATION

Street:  West side of Beauchamp Road, north of Meadowlark Road.
Jurisdiction: Forsyth County.

SITE PLAN

Proposed Use: Professional Office; and Medical and Surgical Offices.
Square Footage: 3,250 square feet.
Building Height: Single story.
Parking: Required: 14 spaces; Proposed: 14 spaces.
Bufferyard Requirements: A type I bufferyard is required adjacent to RS-9 zoning.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: One single family home.
Adjacent Uses:

North - Single family home owned by petitioner and zoned RS-9.
East - Open fields across Beauchamp Road and Meadowlark Road, both areas zoned RS-9.
Southeast - HB-S zoning across Beauchamp and Meadowlark Roads. Site fronts on Country Club Road and was approved for mixed development of commercial and residential uses.
South - Vacant land zoned RS-9; further south are small businesses and convenience store in HB zoning along Country Club Road.
West - Vacant land with brush and trees.

GENERAL AREA

Character/Maintenance: Poorly to well-maintained structures in immediate area. Single family home owned by petitioner and immediately adjoining property is well-maintained. New public schools east of Meadowlark and new single family residential construction characterize area north of commercial uses along Country Club.
Development Pace: Moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Minor.
Topography: Site slopes down slightly to the south.

TRANSPORTATION

Direct Access to Site: Beauchamp Road (dead-end road to the north; connects to Meadowlark to the south).
Street Classification: Beauchamp Road - not classified; Country Club Road - major thoroughfare; Meadowlark Drive - minor thoroughfare.
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
  Country Club Road west of Meadowlark Drive - 8,500/10,500; Meadowlark Drive - north of Country Club Road - 8,200/10,000
Trip Generation/Existing Zoning: .67 ac/9,000 sf = 3 lots x 9.55 = 29 avg. trips/day
Trip Generation/Proposed Zoning: 3,250 sf/1,000 sf = 3.25 x 34.17 = 111 avg. trips/day
Planned Road Improvements: None.
Sight Distance: Good.
Transit: WSTA Route 12 along Country Club Road south of the site.
Bike: WS/FC Route 2 along Country Club Road south of the site.

HISTORY

Relevant Zoning Cases:

1. F-1219; RM-12 to HB-S (Shopping Center); approved March 9, 1998; northeast corner of Country Club Road and Meadowlark Drive; 15.51 acres; Planning Board and staff recommended approval.
2. F-1179; RM-12 to HB-S (Shopping Center); withdrawn by Planning Board on December 12, 1996; northeast corner of Country Club Road and Meadowlark Drive; 15.12 acres; Planning staff recommended approval. This petition was withdrawn by the petitioner due to the difficulty of funding some road widening conditions for Country Club Road and Meadowlark Drive.

3. F-1084; B-3, R-5, and R-6 to B-3-S (Golf Driving Range); approved September 12, 1994; north side of Country Club Road, west of Meadowlark Drive; 13.64 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (Vision 2005): Area 4A: Short-Term Growth.
Relevant Comprehensive Plan Recommendation(s): Staging of development with the provision of roads, sewers, and other services; clustered commercial service areas; employment concentrations and major retail at defined activity nodes. A "floating" activity center was identified in this area along the Northern Beltway at an interchange with either Robinhood Road or Country Club Road.
Area Plan/Development Guide: The site is not within the boundaries of a development guide or an area plan.

ANALYSIS

The subject property lies in an area of the county which has experienced an increased rate of development over the last couple of years. Several residential developments have been started along Meadowlark Drive, and the Meadowlark Elementary and Middle schools have recently opened. At the corner of Country Club Road and Meadowlark Drive, a neighborhood shopping center was approved but has not yet been developed. Both sides of Country Club Road west of Meadowlark Drive are developed with commercial uses. The subject site is on Beauchamp Road which intersects with Meadowlark just north of Country Club Road.

There is a great deal of land north of the site which has not been developed but has the potential for comprehensively designed residential development with an appropriate transition to the business uses along Country Club Road. Establishing a new nonresidential building on Beauchamp Road would influence how the land both north and south of the subject site is ultimately developed. The intersection of Beauchamp Road and Meadowlark Drive creates a sharp angle, and the increased traffic from the proposed development and other nonresidential development that would follow after the precedent is set could make this intersection dangerous.

The NO and NO-S zoning districts are intended to be located on the periphery of established residential areas, along major and minor thoroughfares. The subject property is separated from residential areas, and commercial uses lie roughly 250' to the south. In addition, Beauchamp Road is not a major or minor thoroughfare and is not suited to nonresidential traffic.
Staff is of the opinion that the subject zoning is premature because there is a good potential for the area to be comprehensively planned, and the establishment of a new nonresidential building at this location could adversely affect that potential. Furthermore, Beauchamp Road is not a major or minor thoroughfare which is where the NO and NO-S districts are intended to be located, and the approval of the request could set a precedent for additional nonresidential rezonings on a road which is not suited for the additional traffic.

FINDINGS

1. The subject property lies in an area of the county which has experienced an increased rate of development over the last couple of years.

2. There is a great deal of land north of the site which has not been developed but has the potential for comprehensively designed residential development with an appropriate transition to the business uses along Country Club Road.

3. Establishing a new nonresidential building on Beauchamp Road will play a role in how the land both north and south of the subject site is ultimately developed.

4. The NO and NO-S zoning districts are intended to be located on the periphery of established residential areas, along major and minor thoroughfares.

5. The site is not on the periphery of a neighborhood, and Beauchamp Road is not a major or minor thoroughfare. It is not suited to nonresidential traffic.

6. Staff is of the opinion that the subject zoning is premature because there is a good potential for the area to be comprehensively planned, and the establishment of a new nonresidential building at this location could adversely affect that potential.

STAFF RECOMMENDATION

Zoning: DENIAL.
Staff certifies that the site plan meets all code requirements, and recommends the following condition:

C OTHER REQUIREMENTS
   a. Signage shall be limited to one (1) sign with a maximum copy area of eight (8) square feet.

[For information purposes only: The draft Legacy plan identifies the site as being in the GMP Area - Suburban Neighborhoods. The site of this rezoning proposal is within the municipal services area of the growth management plan (suburban neighborhoods subarea). It is an area
that currently has sewer and other public facilities in place and that can handle more intense
development. The Legacy growth management plan identifies the Robinhood West Metro
Activity Center as the intersection of Robinhood Road and the western leg of the Northern
Beltway.]

David Reed presented the staff report.

**PUBLIC HEARING**

**FOR:**

Sharon Warren, 160 Beauchamp Road, Winston-Salem, NC  27106
We are looking for a place to put our offices.
We have almost no traffic. We currently have four employees and hope to add two
accounting personnel.
We work nationwide, but via telecommunications and computers and don't even need a
sign.
Our only visitors would be people like the UPS delivery personnel.
We're going to build a nice building because we're going to be living next to it.
The neighbors and the Beauchamp family (the major land owners in this area) are not
opposed to it.
This use would be a good buffer between the residential areas along Meadowlark and the
commercial and junk yard along Country Club.

AGAINST:  None

**WORK SESSION**

During discussion by the Planning Board, the following points were made:

1. Arnold King stated that he doesn't see that this one particular piece will make a
difference, having been there and seen it.

2. Steve Johnson noted there are a lot of people with the same last name on this
petition. I would agree with staff that it would be possible for the whole thing to
come in as one plan.

MOTION: Arnold King moved approval of the zoning map amendment, certified that the site
plan meets all code requirements and recommended staff conditions.
SECOND: Norman Williams
VOTE:
   FOR: Avant, Powell, King, Williams
   AGAINST: Schroeder, Snelgrove, Bost, Johnson
   EXCUSED: None
NOTE: According to Planning Board Bylaws, a tied motion represents a failed motion.

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Harold Gene and Sharon C. Warren as of March 31, 2000.

______________________
A. Paul Norby, AICP
Director of Planning