#### Motion and Statement of Consistency with Comprehensive Plan F-1578

I move that the following statement be adopted in support of a <u>Motion</u> to Approve Zoning Map Amendment F-1578:

The proposed general use zoning map amendment, as petitioned by R.H. Johnson Construction Company to rezone a 22.83 acre piece of property from HB-S (Highway Business – Special Use – Recreation Services, Outdoor) to LO-S (Limited Office – Special Use), is consistent with the recommendations of the Legacy Comprehensive Plan, and is reasonable and in the public interest because:

- 1. The uses allowed in the proposed LO-S zoning district are less intensive than those allowed in the current zoning of HB-S; and considering the remote location of the site, the proposed uses are generally compatible with the residential uses permitted on adjacent properties; and
- 2. The zoning request is necessary to locate a cell tower on the site, which will replace a nearby tower that will be removed by NCDOT for the construction of the Northern Beltway, and the proposed tower is needed for cell service in the area;
- 3. The site plan proposes a cell tower which would be at least 285 feet from all property lines and approximately 700 feet from the nearest single family home, and the site plan complies with the requirements of the Unified Development Ordinance and the proposed LO-S zoning; and
- 4. The proposed zoning request would add minimal additional traffic to the area.

Based on the foregoing Statement, I move adoption of F-1578. Second:

Vote:

# Motion and Statement of Consistency with Comprehensive Plan F-1578

I move that the following statement be adopted in support of a <u>Motion</u> to <u>Deny</u> Zoning Map Amendment F-1578:

The proposed general use zoning map amendment, as petitioned by R.H. Johnson Construction Company to rezone a 22.83 acre piece of property from HB-S (Highway Business – Special Use – Recreation Services, Outdoor) to LO-S (Limited Office – Special Use), is inconsistent with the recommendations of the Legacy Comprehensive Plan and not reasonable or in the public interest because:

- 1. The site is located in the Rural Growth Management Area, with no public sewer service available and beyond the terminus of a public street; and LO zoning is typically not appropriate in such areas;
- 2. The site is adjacent to property zoned for low density residential uses, and the proposed cell tower would be visible from nearby residential neighborhoods; and
- 3. Development allowed by the rezoning could add traffic to the area beyond what could be generated by the current zoning.

Based on the foregoing Statement, I move denial of F-1578. Second:

Vote:

# **FORSYTH COUNTY**

#### **BOARD OF COMMISSIONERS**

MEETING DATE:July 19, 2018 AGENDA ITEM NUMBER:3 A-D
SUBJECT:-
A. Public Hearing on Zoning Petition of R.H. Johnson Construction Co. from HB-S to LO-S (Banking and Financial Services; Bed and Breakfast; Church or Religious Institution, Neighborhood; Combined Use; Family Group Home A; Family Group Home B; Funeral Home; Government Offices, Neighborhood Organization, or Post Office; Hospice and Palliative Care; Library, Public; Limited Campus Uses; Museum or Art Gallery; Offices; Park and Shuttle Lot; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Swimming Pool, Private; Transmission Tower; Utilities; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Planned Residential Development; Residential Building, Multifamily; Residential Building, Townhouse; Kennel, Outdoor; Veterinary Services; Access Easement, Private Off-Site; and Kennel, Indoor) Property is Located East of University Parkway and Bray Street (Zoning Docket F-1578)
B. Ordinance Amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, North Carolina
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: DATE:

#### COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of R.H. Johnson Construction Co., Docket F-1578

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 HB-S to LO-S (Bed and Breakfast; Church or Religious Institution, Neighborhood; Combined Use; Family Group Home A; Family Group Home B; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Museum or Art Gallery; Offices; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Swimming Pool, Private; Transmission Tower; Utilities; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Planned Residential Development; Residential Building, Multifamily; Residential Building, Townhouse; Access Easement, Private Off-Site), the zoning classification of the following described property:

A portion of PIN 6829-38-6101 lying in the Town of Rural Hall, County of Forsyth, State of North Carolina, described in Deed Book 001460 Page 00311, further described as commencing from an existing axle, found on the western side of said property, and having North Carolina State Plane Coordinates E:1623312' N:898490';thence, N 43° 30' 49" E for a distance of 495.31 feet to the Point of Beginning; thence, N 89° 17' 56" E for a distance of 512.51 feet to a point; thence, S 01° 44' 35" E for a distance of 1422.67 feet to a point; thence, S 89° 48' 08" W for a distance of 783.26 feet to a point; thence, N 03° 01' 58" E for a distance of 1207.68 feet to a point; thence S 87° 46' 35" E for a distance of 156.95 feet to a point; thence, N 01° 46' 46" E for a distance of 218.65 feet to the point of beginning, containing 994,416 sq. ft. or 22.82 acres.

Section 2. This Ordinance is adopted after approval of the site plan entitled <u>R.H. Johnson</u> Construction Co., and identified as Attachment A of the Special Use District Permit issued by

the Forsyth County Board of Commissioners the _	day of	, 20
to R.H. Johnson 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 R.H. Johnson Construction Co. 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 R.H. Johnson Construction Co. (Zoning Docket F-1578). 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 LO-S (Bed and Breakfast; Church or Religious Institution, Neighborhood; Combined Use; Family Group Home A; Family Group Home B; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Museum or Art Gallery; Offices; Police or Fire Station; Recreation Facility, Public: Residential Building, Duplex: Residential Building, Single Family: Residential Building, Twin Home: Swimming Pool, Private: Transmission Tower: Utilities: Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Planned Residential Development: Residential Building, Multifamily: Residential Building, Townhouse: Access Easement, Private Off-Site), 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 LO-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 THE ISSUANCE OF GRADING PERMITS:

a. Developer shall obtain a driveway permit from NCDOT.

#### • PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. Developer shall install all requirements of the NCDOT driveway permit.
- b. Developer shall record the thirty (30) foot wide access easement shown on the site plan which connects the subject property to Bray Street.



Bryce A. Stuart Municipal Building 100 E. First Street P.O. Box 2511 Winston-Salem, NC 27102 CityLink 311 (336.727.8000) Fax 336.748.3163 www.cityofws.org/planning June 19, 2018

Christopher Johnson for R.H. Johnson Construction Co. 86 Wood Avenue Asheville, NC 28803

Re: Zoning Petition F-1578

#### Dear Petitioner:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners. You will be notified by the Board of Commissioner's Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP Director of Planning and Development Services

Clerk to the Board of Commissioners Forsyth County Government Center, 5<sup>th</sup> Floor, 201
 N. Chestnut Street, Winston-Salem, NC 27101
 Katherine E. Ross, 301 Fayetteville Street, Suite 1400, Raleigh, NC 27601



#### CITY-COUNTY PLANNING BOARD STAFF REPORT

Partie Service	PETITION INFORMATION			
Docket #	F-1578			
Staff	Gary Roberts, Jr. AICP			
Petitioner(s)	R.H. Johnson Construction Co.			
Owner(s)	Same			
<b>Subject Property</b>	Portion of PIN# 6829-38-6101			
Address	The new address will be 240 Bray Street.			
Type of Request	Special use rezoning from HB-S to LO-S			
Proposal	The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB-S (Highway Business – special use – Recreation Services, Outdoor) to LO-S (Limited Office – special use). The petitioner is requesting the following uses:  • Bed and Breakfast; Church or Religious Institution, Neighborhood; Combined Use; Family Group Home A; Family Group Home B; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Museum or Art Gallery; Offices; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Swimming Pool, Private; Transmission Tower; Utilities; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Planned Residential Development; Residential Building, Multifamily; Residential Building, Townhouse; Access Easement, Private Off-Site			
Neighborhood Contact/Meeting	See Attachment A for a summary of the petitioner's neighborhood outreach.			
Zoning District				
Purpose	The LO District is primarily intended to accommodate moderately intense medical, professional, administrative, and government office			
Statement	uses on small to mid-sized sites, in a suburban setting. The district is			
	typically located near the intersection of a collector street or			
	thoroughfare in areas which are otherwise developed with residences.			
	Standards are designed so this district may serve as a transition between			
	residential districts and commercial districts. This district is intended for			
	application in GMAs 2 and 3.			
Applicable	(R)(1) - Is the proposal consistent with the purpose statement(s) of the			
Rezoning	requested zoning district(s)?			
Consideration	The subject property is located within the Rural Growth Management			
from Chapter B,	Area (GMA 5) where no public sewer is available. It is also located			
Article VI,	beyond the terminus of a residentially developed local street. Therefore,			
Section 6-2.1(R)	this is not a typical location for the LO district. However, in light of the current HB-S zoning, Planning staff advised the petitioner to consider a less intensive zoning, such as LO-S, which would still accommodate their initial development need which is for a Transmission Tower.			

NAME OF	40.46	· 清祖 /	GENERAL	SITE INFO	DRMATIO	N			
Location		East of the intersection of University Parkway and Bray Street							
Jurisdic	tion	Forsyth County							
Site Acre	eage	± 22.83 acres							
Current		The site is currently undeveloped.							
Land Us	e	white veropout							
Surroun	ding	Dir	ection	Zoning D	istrict		Use		
Property and Use	Zoning	N	orth	RS20	)	_	mily homes and oped property		
		H	East	RS20	)	Single family homes and undeveloped property			
		S	outh	RS20	)	Undevel	oped property		
		V	Vest	RM8-	S		oped property		
Applicat Rezoning Consider from Ch	g ration	classi:	fication/requerties in the		ble with us	ses permitted	d on other		
Article V Section 6	T,	Considering the relatively remote location of the subject property and depending upon how some of the proposed uses may be specifically designed on a future site plan, the proposed uses are generally compatible with the residential uses permitted on the adjacent properties.							
Physical		The m	The majority of the site is covered with low level vegetation and has a						
Characte	eristics	gentle slope downward to the north.							
Proximit Water an	y to nd Sewer	Public water serves Bray Street which is located to the west of the site (although water service will not be needed for the proposed Transmission Tower). There is no public sewer service located in the							
Stormwa Drainage		general area. See comments below.							
Watersh Overlay	ed and	The site is not located within a water supply watershed.							
Analysis General Informat	of Site	The undeveloped site is characterized by favorable topography and it is not impacted by any regulatory floodplains or watersheds. However, according to the proposed site plan, the site is traversed by three underground drainage pipes ranging from 30" to 84" in diameter and according to the <i>Rural Hall Area Plan Update</i> , the subject property was previously used as a landfill.					ds. However, by three diameter and		
RELEVANT ZONING HISTORIES									
Case	Reque	st	Decision &	Direction	Acreage	Recon	nmendation		
			Date	from Site		Staff	ССРВ		
F-1563 HB-S & RS30-S t HB-L		to	Approved 11-14-16	±700' to the northwest	30.08	Approval	Approval		
F-1092			Approved 10-9-1995	Current	24	Approval	Approval		

F-1091	RS20 1 RM8-	S	Approved 10-9-1995	wes curr si	t of ent	22.29		proval	Approval	
		ACC	ESS AND T	RANSP	ORTA	ATION I	NFOR	MATIC	)N	
			ssification	Frontage		Avera Daily Trip Coun	7	Capacity at Level of Service D		
Bray S			cal Street	Non		NA			NA	
Proposed Point(s)			site will be a ect to Bray S		oy a 30	0' wide a	ccess ea	sement	which will	
Trip Gene Existing/F		The incre	proposed Trace ase in traffic	ansmissic	on Tovoccasi	ver will nonal serv	ot gene	rate a no	oticeable ll access the site.	
Sidewalks			e are no side							
Analysis ( Access an Transport Informati	d tation	The proposed access easement will traverse across the RM8-S zoned property located directly to the west. This site is in the same ownership as the subject property. While some of the proposed uses (with an approved site plan) may generate additional traffic in the area, the proposed transmission tower will have a negligible impact on the number of trips to and from the site.							ame ownership s (with an e area, the	
	SITE		COMPLL				EQUIR	EMENT	ΓS	
Parking			Required		ropos				ayout	
			1 space		1 space			The parking space is directly adjacent to the west side of the fenced tower area		
Imperviou	1S		Maxin	num				Propos		
Coverage			759	6				1%		
UDO Sect Relevant t Subject R	to	<ul> <li>Chapter B, Article II, Section 2-1.3 (B) Limited Office District</li> <li>Chapter B, Article II, Section 2-5.79 Transmission Tower Use Conditions</li> </ul>						ice District Fower Use		
Complies Chapter E Article VI	3,	(A) Legacy 2030 policies:			reco	egacy 2030 has no relevant commendations pertaining to ransmission Towers.				
Section 7-	5.3	(B) E	(B) Environmental Ord. NA							
		(C) Subdivision NA Regulations								
Analysis of Plan Com with UDO Requirem	pliance	The site plan proposes a 265' lattice Transmission Tower in the southeastern corner of the subject property. The required six foot security fence and Type III bufferyard are shown surrounding the compound at the base of the tower. The minimum setback of the proposed tower from any occupied single family home is tower height (265 feet in this case) plus an additional 20 feet. While there are currently no single family homes close to this portion of the subject property, the tower is shown at a minimum of 285' from all property lines. The closest single family home is located approximately 700' to the northeast. Also, while photosimulations depicting the tower within								

provided them (see Attachment B). The proposed site plan complies with the requirements of the UDO.  CONFORMITY TO PLANS AND PLANNING ISSUES  Growth Management Area  Relevant Legacy 2030 Recommendations  Relevant Area Plan(s)  Area Plan Recommendations  • Legacy 2030 has no relevant recommendations pertaining to Transmission Towers.  Rural Hall Area Plan Update (2016)  • A former landfill was located on the subject property which considerably limits its potential use.  • Prohibit the development of structures on the part of the site which was a landfill.  • Allow the rezoning of the property to a zoning district which allows for comprehensive low-density attached residential development on the remainder of the site.  Site Located Along Growth Corridor?  Site Located within Activity Center?  Applicable Rezoning Consideration from Chapter B, Article VI,  Parkay wind is a growth corridon in conformance with Legacy 2030?							
CONFORMITY TO PLANS AND PLANNING ISSUES  Legacy 2030 Growth Management Area Relevant Legacy 2030 Recommendations Relevant Area Plan(s)  Area Plan Recommendations  Recommendations  Area Plan Recommendations  A former landfill was located on the subject property which considerably limits its potential use.  Prohibit the development of structures on the part of the site which was a landfill.  Allow the rezoning of the property to a zoning district which allows for comprehensive low-density attached residential development on the remainder of the site.  Site Located Along Growth Corridor?  Site Located Within Activity Center?  Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)  (R)(3) - Have changing conditions substantially affected the area in the petition?  No (R)(4) - Is the requested action in conformance with Legacy 2030?  Legacy 2030 has no relevant recommendations pertaining to Transmission Towers.  The request is to rezone a 22.83 undeveloped tract which is currently zoned HB-S for a golf driving range, to LO-S. The site plan is designed to accommodate a 265' tall lattice Transmission Tower. Other residential and nonresidential uses (which are allowed in the LO district) are included in the request as well.  According to the Rural Hall Area Plan Update, the subject property was		its surrounding context are not required in this case, the petitioner has					
CONFORMITY TO PLANS AND PLANNING ISSUES  Growth Management Area 5 - Rural Area  Relevant Legacy 2030 Recommendations  Relevant Area Plan(s)  Area Plan Recommendations  **Prohibit the development of structures on the part of the site which was a landfill.  **Allow the rezoning of the property to a zoning district which allows for comprehensive low-density attached residential development on the remainder of the site.  Site Located Along Growth Corridor?  Site Located Within Activity Center?  Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)  Analysis of Conformity to Plans and Plans and Planning Issues  CONFORMITY TO PLANS AND PLANNING ISSUES  Growth Management Area 5 - Rural Area  **Legacy 2030 has no relevant recommendations pertaining to Transmission Towers.  **A former landfill was located on the subject property which considerably limits its potential use.  **Prohibit the development of structures on the part of the site which was a landfill.  **A flow the rezoning of the property to a zoning district which allows for comprehensive low-density attached residential development on the remainder of the site.  The site is located approximately 1,800 feet to the east of University Parkway which is a growth corridor.  The site is not located within an activity center.  (R)(3) - Have changing conditions substantially affected the area in the petition?  No  (R)(4) - Is the requested action in conformance with Legacy 2030?  Legacy 2030 has no relevant recommendations pertaining to Transmission Towers.  The request is to rezone a 22.83 undeveloped tract which is currently zoned HB-S for a golf driving range, to LO-S. The site plan is designed to accommodate a 265° tall lattice Transmission Tower. Other residential and nonresidential uses (which are allowed in the LO district) are included in the request as well.  According to the Rural Hall Area Plan Update, the subject property was		provided them (see Attachment B). The proposed site plan complies with the requirements of the UDO					
Growth Management Area 5 - Rural Area							
Growth Management Area Relevant Legacy 2030 Recommendations Relevant Area Plan(s) Area Plan Recommendations  A former landfill was located on the subject property which considerably limits its potential use.  Prohibit the development of structures on the part of the site which was a landfill.  Allow the rezoning of the property to a zoning district which allows for comprehensive low-density attached residential development on the remainder of the site.  Site Located Along Growth Corridor?  Site Located Within Activity Center?  Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)  Analysis of Conformity to Plans and Planning Issues  Prohibit the development of structures on the part of the site which allows for comprehensive low-density attached residential development on the remainder of the site.  The site is located approximately 1,800 feet to the east of University Parkway which is a growth corridor.  The site is not located within an activity center.  (R)(3) - Have changing conditions substantially affected the area in the petition?  No (R)(4) - Is the requested action in conformance with Legacy 2030?  Legacy 2030 has no relevant recommendations pertaining to Transmission Towers. Other residential and nonresidential uses (which are allowed in the LO district) are included in the request as well.  According to the Rural Hall Area Plan Update, the subject property was							
Management Area Relevant Legacy 2030 Recommendations Relevant Area Plan(s) Area Plan Recommendations Prohibit the development of structures on the part of the site which was a landfill. Allow the rezoning of the property to a zoning district which allows for comprehensive low-density attached residential development on the remainder of the site.  The site is located approximately 1,800 feet to the east of University Parkway which is a growth corridor.  The site is not located within an activity center.  Rural Hall Area Plan Update (2016) Prohibit the development of structures on the part of the site which was a landfill.  Allow the rezoning of the property to a zoning district which allows for comprehensive low-density attached residential development on the remainder of the site.  The site is located approximately 1,800 feet to the east of University Parkway which is a growth corridor.  Recommendations  Rural Hall Area Plan Update (2016)  Rural Hall Area Plan Update, the subject property was		Growth Management Area 5 - Rural Area					
Relevant Legacy 2030 Recommendations Relevant Area Plan(s)  Area Plan Recommendations  Recommendations  Recommendations  Recommendations  Relevant Area Plan(s)  Area Plan Recommendations  • A former landfill was located on the subject property which considerably limits its potential use. • Prohibit the development of structures on the part of the site which was a landfill. • Allow the rezoning of the property to a zoning district which allows for comprehensive low-density attached residential development on the remainder of the site.  Site Located Along Growth Corridor?  Site Located Within Activity Center?  Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)  Analysis of Conformity to Plans and Planning Issues  • Legacy 2030 has no relevant recommendations pertaining to Transmission Towers.  (R)(3) - Have changing conditions substantially affected the area in the petition?  No (R)(4) - Is the requested action in conformance with Legacy 2030?  Legacy 2030 has no relevant recommendations pertaining to Transmission Towers.  The request is to rezone a 22.83 undeveloped tract which is currently zoned HB-S for a golf driving range, to LO-S. The site plan is designed to accommodate a 265' tall lattice Transmission Tower. Other residential and nonresidential uses (which are allowed in the LO district) are included in the request as well.  According to the Rural Hall Area Plan Update, the subject property was		2					
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Plan(s)  Area Plan Recommendations  • A former landfill was located on the subject property which considerably limits its potential use. • Prohibit the development of structures on the part of the site which was a landfill. • Allow the rezoning of the property to a zoning district which allows for comprehensive low-density attached residential development on the remainder of the site.  Site Located Along Growth Corridor?  Site Located Within Activity Center?  Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)  Analysis of Conformity to Plans and Planning Issues  Pohibit the development of structures on the part of the site which was a landfill.  • A former landfill was located on the subject property which consideration get the set of the site which allows for comprehensive low-density attached residential development on the remainder of the site.  The site is located approximately 1,800 feet to the east of University Parkway which is a growth corridor.  The site is not located within an activity center.  (R)(3) - Have changing conditions substantially affected the area in the petition?  No  (R)(4) - Is the requested action in conformance with Legacy 2030?  Legacy 2030 has no relevant recommendations pertaining to Transmission Towers.  The request is to rezone a 22.83 undeveloped tract which is currently zoned HB-S for a golf driving range, to LO-S. The site plan is designed to accommodate a 265' tall lattice Transmission Tower. Other residential and nonresidential uses (which are allowed in the LO district) are included in the request as well.  According to the Rural Hall Area Plan Update, the subject property was							
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previously used as a failuring and as noted previously, the site is traversed		previously used as a landfill and as noted annulus of the subject property was					
by multiple, large underground drainage pipes. Both of these factors,		by multiple large underground drainage pieces. Both of these features					
along with its limited access, impact the development potential of this							
property. The site was rezoned from RS20 to HB-S in 1995 at the same		property. The site was rezoned from RS20 to UR_S in 1005 at the same					
time the adjacent site located directly to the west was rezoned to RM8-S		time the adjacent site located directly to the west was regard to DM9 C					
for a multifamily residential development. Both sites remain		for a multifamily residential development. Both sites remain					
undeveloped.							
		-					

Given the current HB-S zoning designation and said developmental constraints of the site, Planning staff sees the subject request as reasonable. Staff notes that because the site plan is designed only to accommodate a Transmission Tower, future development of the site for any of the other requested uses would require a site plan amendment approved by the County Commissioners. In closing, staff also notes that the request is the result of the need to relocate an existing lattice tower which is located nearby. This existing tower is being purchased by NCDOT to make room for the Northern Beltway. Staff recommends approval of the request.

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed LO-S zoning is less intense	The proposed transmission tower will have some
than the existing HB-S zoning.	visual impact on the surrounding properties.
Approval of this request will facilitate the	
replacement of an existing tower being	
removed by the Northern Beltway.	
The proposed transmission tower should	
allow for improved cell phone service in	
the general area.	

#### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

#### • PRIOR TO THE ISSUANCE OF GRADING PERMITS:

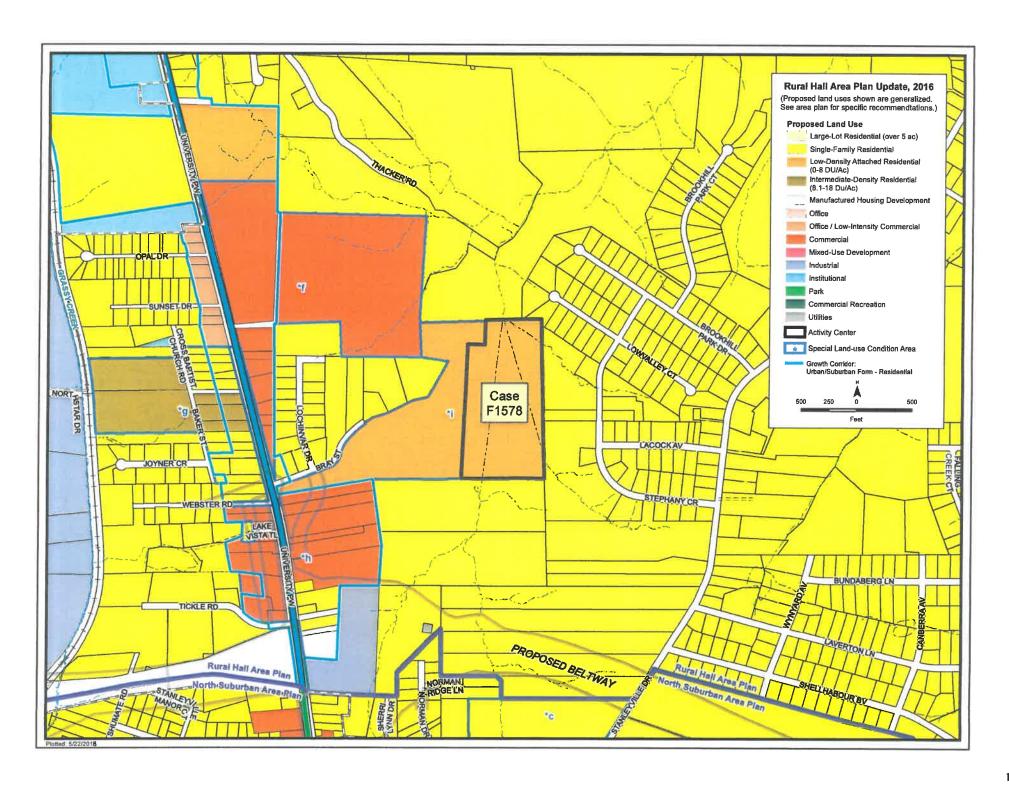
a. Developer shall obtain a driveway permit from NCDOT.

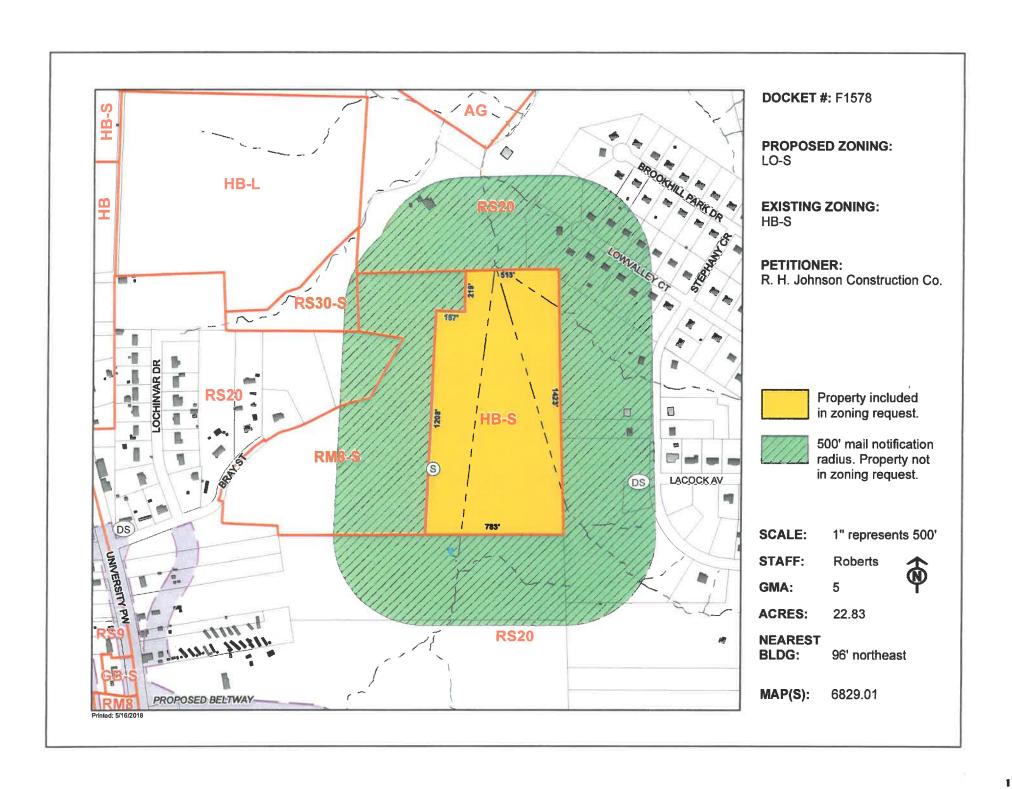
#### PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

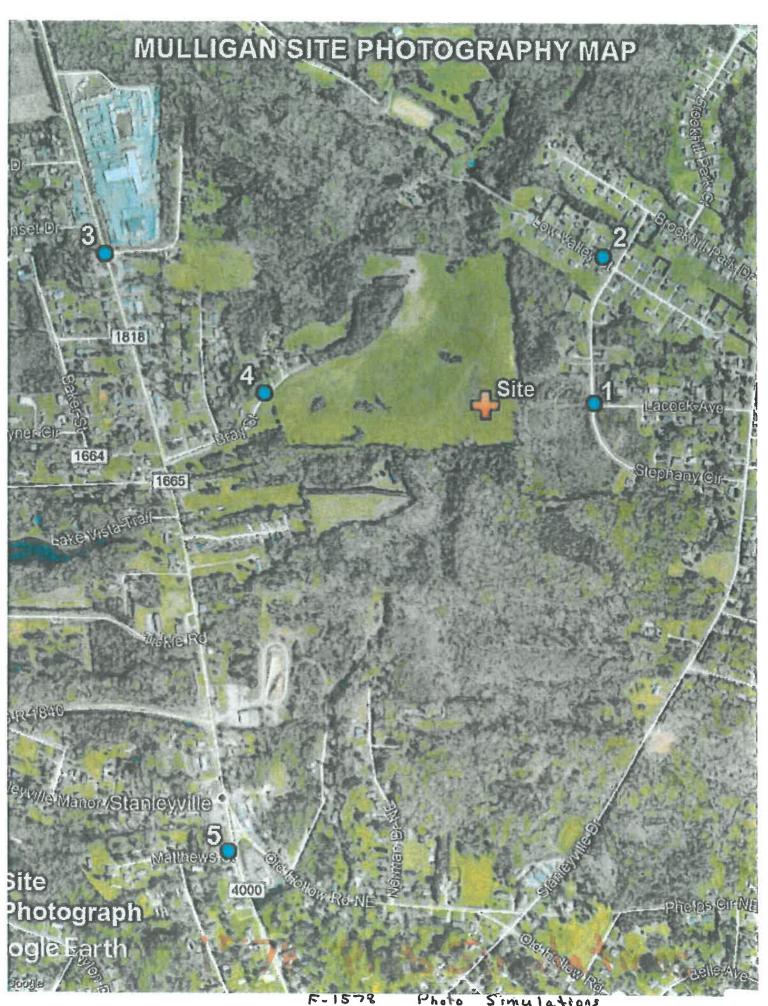
- a. Developer shall install all requirements of the NCDOT driveway permit.
- b. Developer shall record the thirty (30) foot wide access easement shown on the site plan which connects the subject property to Bray Street.

#### 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.

















# CITY-COUNTY PLANNING BOARD PUBLIC HEARING MINUTES FOR F-1578 JUNE 14, 2018

Aaron King presented the staff report.

#### **PUBLIC HEARING**

FOR: None

AGAINST: None

#### **WORK SESSION**

MOTION: Clarence Lambe moved approval of the zoning petition and certified the site plan

(including staff recommended conditions) meets all UDO requirements if the

petition is approved.

SECOND: Chris Leak

VOTE:

FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Arnold King, Clarence Lambe,

Chris Leak, Brenda Smith

AGAINST: None EXCUSED: None

A. Paul Norby, FAICP

Director of Planning and Development Services

# INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

**Project Case Number: F-1578** 

### PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS

Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests, Subdivisions, and Planning Board Review items; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. A list of recommended conditions from this Interdepartmental Review will be sent to you via e-mail generally by the end of the business day on Friday the week prior to the Planning Board Public Hearing.

PROJECT CASE NUMBER: F-1578 PROJECT TITLE: R.H. Johnson Construction Co. DATE: May 30, 2018

PROJECT DESCRIPTION: East of the intersection of University Parkway and Bray Street

NCDOT (Wright Archer)- Phone # - 336.747.7900 Email: warcher@ncdot.gov

NCDOT driveway permit required. Encroachment agreement needed for any utility ties within right-of-way.

WSDOT (Jeff Fansler)- Phone # - 336.747.6883 Email: jeffreygf@cityofws.org

Engineering (Al Gaskill)- Phone # - 336.747.6846 Email: albertcg@cityofws.org

No Comments

Inspections - Phone # - Aaron King - 336.747.7068 Email: aaronk@cityofws.org

Erosion Control (Matt Osborne) - Phone # - 336.747.7453 Email: matthewo@cityofws.org

If the proposed project creates more than 10,000 sq. feet of land disturbance, an Erosion Control/Grading Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval. Please submit the plan through the electronic plan review portal at the following link: <a href="https://winston-salem.idtplans.com/secure/">https://winston-salem.idtplans.com/secure/</a>

Stormwater Division (Joe Fogarty)- Phone # - 336.747.6961 Email: josephf@cityofws.org

## County Fire- (Tony Stewart)- Phone # - 336.703.2562 Email: stewaraj@forsyth.cc

- 1. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).
- 2. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (The one shown does not meet the intent of the code)

# INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

**Project Case Number: F-1578** 

No Comments

Sanitation (Johnnie Taylor)- Phone # - 336.748.3080 Email: johnniet@cityofws.org

Planning (Aaron King)- Phone # - 336.747.7068 Email: aaronk@cityofws.org

Staff recommends removing some of the proposed land uses that don't make sense for this location.

Street Names/Addresses (Matt Hamby) -336. 747.7074 Email: hambyme@mapforsyth.org
Street Names/Addresses (Stacy Tolbert) -336. 747.7497 Email: tolbersy@mapforsyth.org

Address issued: 240 Bray St.

Forsyth County Health Department - 336.703-3110 Email: rakescd@forsyth.cc

Vegetation Management -336.748.3020 Email: keithf@cityofws.org