

Motion to Approve Zoning Map Amendment F-1582 and
Statement of Consistency with Comprehensive Plan

I move that Zoning Map Amendment F-1582 be **approved** on the basis of the following:

The proposed special use zoning map amendment, as petitioned by Gerald Byerly and William Byerly to rezone a 1.82-acre piece of property from RS9 to GB-S (Storage Services, Retail), is consistent with the recommendations of the Legacy Comprehensive Plan and reasonable or in the public interest because

1. The subject property is located across the street from an automotive repair shop and is adjacent to property which the South Suburban Area Plan envisions to become part of the nearby activity center. The use proposed for the subject property would be consistent with such planned uses for the nearby property;
2. The proposed use for the subject property would likely generate little traffic; and
3. The subject property is located in GMA 3, which is noted in the district purpose statement as being suitable for GB zoning.

Second:

Vote:

Motion to Deny Zoning Map Amendment F-1582 and
Statement of Consistency with Comprehensive Plan

I move that Zoning Map Amendment F-1582 be **denied** on the basis of the following:

The proposed special use zoning map amendment, as petitioned by Gerald Byerly and William Byerly to rezone a 1.82-acre piece of property from RS9 to GB-S (Storage Services, Retail), is inconsistent with the recommendations of the Legacy Comprehensive Plan and not reasonable or in the public interest because

1. General Business zoning is intended for destination retail, service, and office uses along thoroughfares in areas which have developed with minimal front setbacks. It was not intended for strip commercial development. The subject property would be a small, non-destination use which would encourage further strip commercial development in the area;
2. The area adjacent and surrounding the subject property is zoned for residential development. The South Suburban Area plan recommends single family residential use for the subject property and adjoining property. General Business rezoning and the proposed uses would not be in conformity with the area plan and could harm future residential uses in the area; and
3. Legacy and the Area Plan encourage commercial development within existing activity centers. By allowing commercial strip development outside the activity center, the proposed rezoning of the subject property could discourage investment in the activity center.

Second:

Vote:

FORSYTHCOUNTY
BOARD OF COMMISSIONERS

MEETING DATE: June 27, 2019

AGENDA ITEM NUMBER: 1A - 1D

SUBJECT:-

- A. Public Hearing on Zoning Petition of Gerald Byerly and William Byerly from RS9 to GB-L (Storage Services, Retail): Property is Located on the Southeast Side of Ebert Road, North of Evans Road (Zoning Docket F-1582)
- B. Ordinance Amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, N.C.
- C. Approval of Special Use District Permit
- D. Approval of Site Plan

COUNTYMANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

After consideration, the Planning Board unanimously recommended denial of the special use district - no site plan request.

ATTACHMENTS:- X YES NO

SIGNATURE: _____
County Manager

DATE: June 24, 2019

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Gerald Byerly and William Byerly, Docket F-1582

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 RS9 to GB-S (Storage Services, Retail) the zoning classification of the following described property:

Beginning at an existing iron pin located at the northern corner of PIN # 6812-69-6922.00 and in the eastern right of way of Ebert Road (SR 2902) and having NAD83/2011 grid coordinates Northing 830295.156 and Easting 1616830.111. Said iron being the point and place of beginning of this description of a proposed lot of a portion of PIN # 6812-69-6922.00 as defined by the Forsyth county tax accessor's office. Said iron being S 42-08-20 W, 106.93' from an existing iron pin, the northwest corner of PIN # 6813-70-0005.00. Thence from said point of beginning S 00-16-28 W, 418.87' to an existing iron pin having NAD83/2011 coordinates Northing 829870.417 Easting 1616824.267, thence N 89-54-10 w, 377.74' to an existing iron pin in the right of way of Ebert Road, having NAD83/2011 coordinates Northing 829871.058 Easting 1616446.531, thence along the right of way of Ebert Road N42-14-20 E, 564.90' to the point and place of beginning. Containing 1.82 acres and being a portion of Pin# 6812-69-6922.00

Section 2. This Ordinance is adopted after approval of the site plan entitled Big Bargain Storage, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 20____ to Gerald Byerly and William Byerly.

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 Big Bargain Storage. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

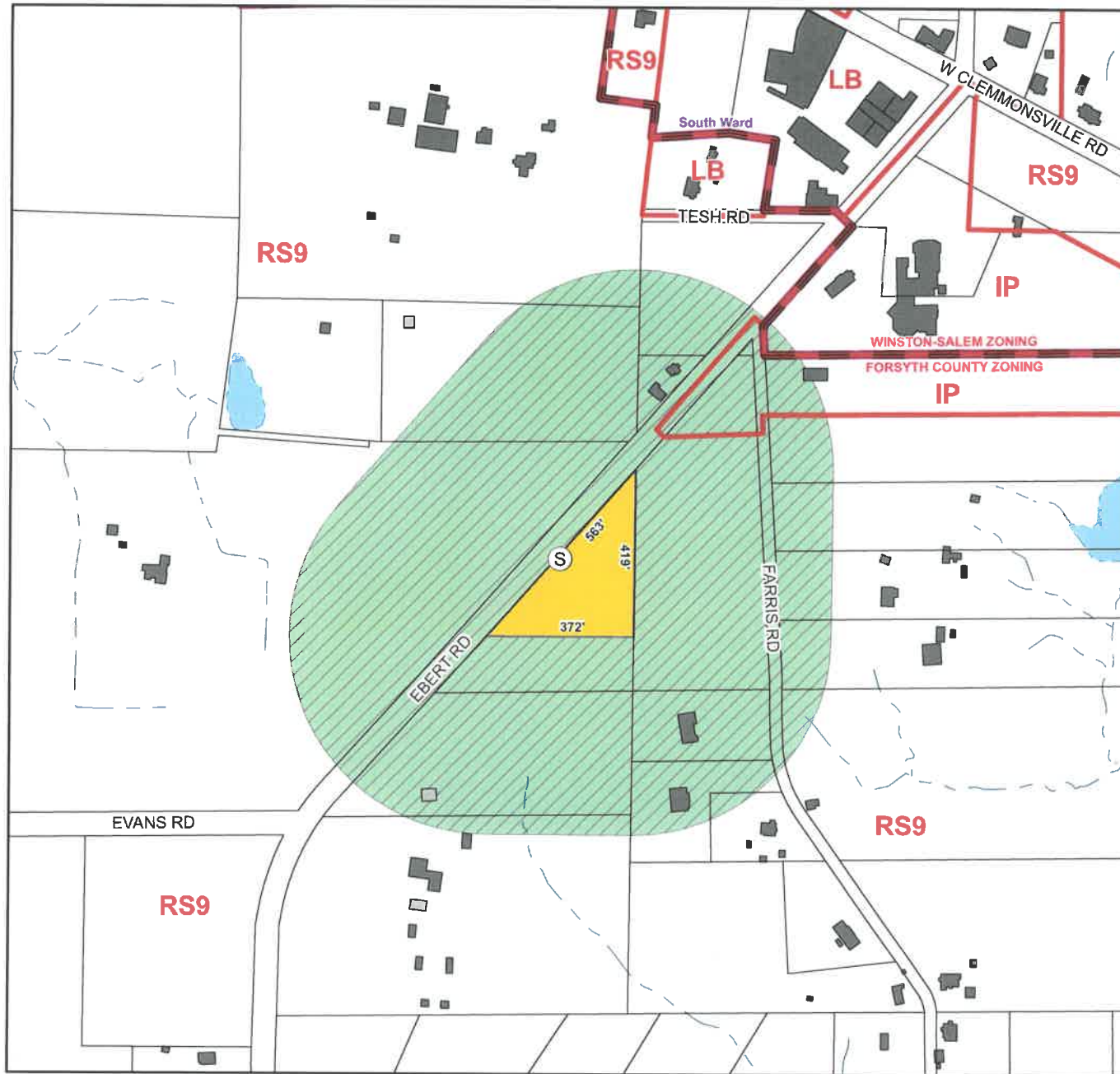
Section 4. This Ordinance shall be effective from and after its adoption.

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 Gerald Byerly and William Byerly (Zoning Docket F-1582). 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 GB-S (Storage Services, Retail), 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 GB-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances* of the County Code, the Erosion Control Ordinance, and other applicable laws.


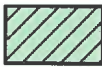


DOCKET #: F1582
 (Continued from 4/11/2019)

PROPOSED ZONING:
 GB-S

EXISTING ZONING:
 RS9

PETITIONER:
 Gerald Byerly and William Byerly

-  Property included in zoning request.
-  500' mail notification radius. Property not in zoning request.

SCALE: 1" represents 400'

STAFF: Corley

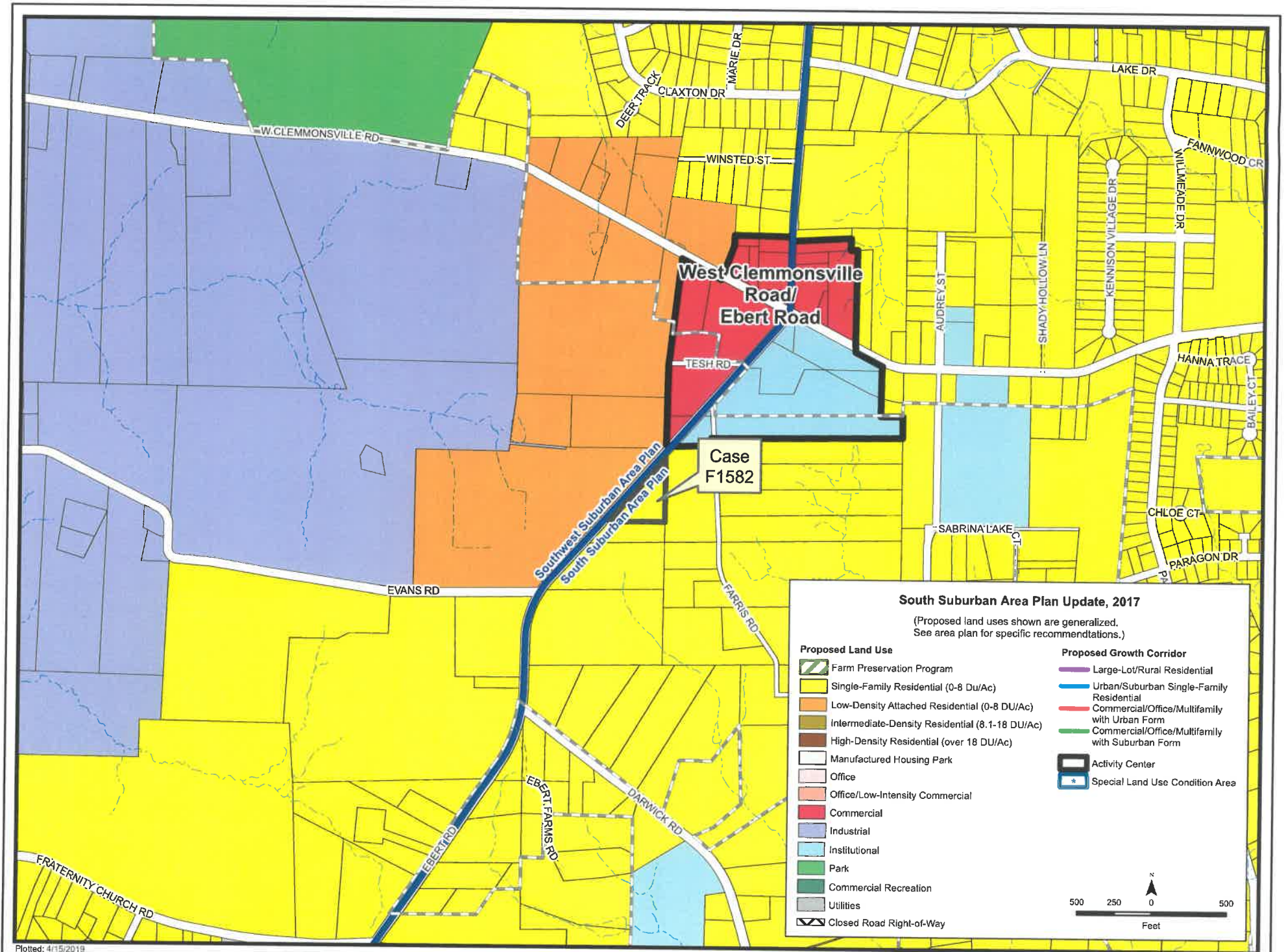
GMA: 3

ACRES: 1.82

NEAREST BLDG: 178' north

MAP(S): 6812.02, 6813.04







May 24, 2019

Gerald and William Byerly
1672 Buffalo Road
Sandy Ridge, NC 27046

Re: Zoning Petition F-1582

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.cityofwfs.org/planning

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 Clerk to the Board of Commissioner's Office of the date on which the Commissioners will hear this petition.

Sincerely,

Aaron King
Director of Planning and Development Services

pc: Clerk to the Board of Commissioners Forsyth County Government Center,
5th Floor, 201 N. Chestnut Street, Winston-Salem, NC 27101
Tyler and Todd Leinbach, 6130 Stadium Drive, Clemmons, NC 27012
Christopher Plemmons, 4381 Farris Road, Winston-Salem, NC 27127
Jorge M. Abrego, 4340 Farris Road, Winston-Salem, NC 27127



City Council: Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Annette Scipio, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

County Commissioners: David R. Plyler, Chairman; Don Martin, Vice Chair, Fleming El-Amin; Ted Kaplan; Richard V. Linnville; Tonya McDaniel; Gloria D. Whisenhunt; Manager: Dudley Watts, Jr.

City-County Planning Board: Chris Leak, Vice-Chair; George M. Bryan, Jr.; Melynda Dunigan; Jason Grubbs; Tomnty Hicks; Clarence R. Lambe, Jr.; Johnny Sigers; Brenda J. Smith

County

**NOTICE OF PUBLIC HEARING BEFORE THE
CITY-COUNTY PLANNING BOARD OF FORSYTH COUNTY
AND WINSTON-SALEM, NORTH CAROLINA ON
REZONING REQUESTS AND RELATED MATTERS**

Notice is hereby given in accordance with the requirement of applicable law that the City-County Planning Board will hold a public hearing in the Public Meeting Room on the fifth floor of the Bryce Stuart Municipal Building, 100 East First Street, Winston-Salem, North Carolina, at 4:30 P.M. on May 9, 2019 on the following rezoning and related matters:

1. Zoning petition of Gerald Byerly and William Byerly from RS9 to GB-S (Storage Services, Retail): property is located on the southeast side of Ebert Road, north of Evans Road; property consists of ±1.82 acres and is a portion of PIN# 6812-69-6922 as shown on the Forsyth County Tax Maps and on a site plan on file in the office of the City-County Planning Board (Zoning Docket F-1582). Continued from the April 11, 2019 Planning Board meeting.

2. Zoning petition of Rodney Longworth from AG to LI-S (Arts & Crafts Studio; Building Material Supply; Wholesale Trade A; Wholesale Trade B; Banking & Financial Services; Building Contractors, General; Offices; Services A; Services B; Storage Services, Retail; Testing & Research Laboratory; Warehousing; Recreation Services, Public; Adult Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; College or University; Hospital or Health Center; Police or Fire Station; Government Offices, Neighborhood Organization, or Post Office; Postal Processing Facility; Schools, Vocational or Professional; Manufacturing A; Manufacturing B; Helistop; Park and Shuttle Lot; Parking, Commercial; Transmission Tower): property is located west of Millennium Drive, north of Cumbie Road; property consists of ±2.99 acres and is PIN# 6864-42-8429 as shown on the Forsyth County Tax Maps and on a site plan on file in the office of the City-County Planning Board (Zoning Docket F-1585).

NOTE: TIME LIMIT FOR SPEAKERS: Speakers in favor and speakers in opposition of rezoning requests or related public hearing matters shall be limited to twelve (12) minutes total speaking time for each side. All speakers should register prior to the meeting. Registration will begin at 4:00 P.M. inside the Public Meeting Room.

The City of Winston-Salem does not discriminate on the basis of race, sex, color, age, national origin, religion or disability in its employment opportunities, programs, services or activities.

All requests for appropriate and necessary auxiliary aids and services must be made within a reasonable time prior to the hearing to the Director of Planning and Development Services at (336) 747-7061.

BY DIRECTION OF THE CITY-COUNTY PLANNING BOARD

Aaron King
Director of Planning and Development Services

Please publish once in the JOURNAL on **Thursday**, April 25, 2019.

BOLD HEADING- Single Column

Please submit one (1) copy of the affidavit of publication and your charges to the City-County Planning Board.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	F-1582
Staff	Desmond Corley
Petitioner(s)	Gerald Byerly and William Byerly
Owner(s)	Same
Subject Property	Portion of PIN 6812-69-6922
Address	None (undeveloped)
Type of Request	Special Use rezoning from RS9 to GB-S
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential, Single Family – 9,000 sf minimum lot size) to GB-S (General Business – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Storage Services, Retail <p>NOTE: General, Special Use Limited, and Special Use district zoning were discussed with the petitioner(s), who decided to pursue the rezoning as presented.</p>
Continuance History	<p>The petitioner originally requested a Special Use Limited rezoning of the subject property (from RS9 to GB-L). That request was heard by the City-County Planning Board in November 2018. Staff recommended denial of the request, and the Planning Board voted to recommend that the Forsyth County Board of Commissioners deny the request. At its meeting in December 2018, the Board of Commissioners voted to remand the request back to the Planning Board so the petitioners could submit a site plan (Special Use request). The current request was continued from the April 2019 meeting to allow the petitioners to comply with site plan requirements in the UDO and other applicable regulations.</p>
Neighborhood Contact/Meeting	<p>The petitioner held neighborhood meetings when the request was first heard by the City-County Planning Board and the Forsyth County Board of Commissioners.</p>
Zoning District Purpose Statement	<p>The GB District is primarily intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2 and 3 and Metro Activity Centers.</p>

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	No. While the subject property is located along a major thoroughfare, the residential area in which it is situated has developed with significant setbacks and is not recommended to become a destination retail or service location. The request may also promote continued commercial development southward from the intersection of Ebert Road and West Clemmonsville Road.		
GENERAL SITE INFORMATION			
Location	Southeast side of Ebert Road, north of Evans Road		
Jurisdiction	Forsyth County		
Site Acreage	± 1.82 acres		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS9	Undeveloped property and a nonconforming motor vehicle repair business
	East	RS9	Undeveloped property
	South	RS9	Undeveloped property and single-family homes
	West	RS9	Largely undeveloped property with a single-family home
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?		
	No. While storage services do not generate high volumes of traffic, they are typically not visually compatible with single-family homes. Specifically, the proposed gravel lot with containers placed along the street is not visually or functionally compatible with surrounding low-density residential uses.		
Physical Characteristics	The undeveloped site is partially wooded and gradually slopes downward to the east.		
Proximity to Water and Sewer	The 30-inch sewer line within the Ebert Road right-of-way is a force main and cannot be accessed. There is also no public water service available to the site.		
Stormwater/ Drainage	No known issues.		
Watershed and Overlay Districts	The site is not located within a water supply watershed nor any overlay zoning districts.		
Analysis of General Site Information	The undeveloped site has no significant physical constraints but has limited access to public water and sewer service.		

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3299	LB to GB-L	Approved 8/1/2016	1,400 feet north	.70	Denial	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Ebert Road	Major Thoroughfare	565 feet	4,000	13,800		
Proposed Access Point(s)	The site has two proposed (full) access points onto Ebert Road, approximately 215 feet apart.					
Planned Road Improvements	The <i>Comprehensive Transportation Plan</i> recommends a three-lane cross section for this stretch of Ebert Road with wide outside lanes, curb and gutter, and sidewalks. These conditions do not currently exist, and the applicant has not proposed any improvements.					
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RS9</u> 1.82 acres x 43,560 square feet (per acre) / 9,000 square feet (per lot) = 8 lots x 9.57 (Single-family detached housing trip rate) = 77 trips per day</p> <p><u>Proposed Zoning: GB-S</u> 14,080 square feet (storage area) / 1,000 square feet x 2.5 (Mini-warehouse trip rate) = 36 trips per day</p>					
Sidewalks	There are no sidewalks in the general area, but the <i>Comprehensive Transportation Plan</i> recommends sidewalks along Ebert Road at this location.					
Analysis of Site Access and Transportation Information	<p>The site is located along a major thoroughfare with extra capacity and proposes a dual access onto said thoroughfare. The estimated trip generation for the proposed use is less than would be expected with development consistent with the existing zoning.</p> <p>The petitioner has addressed staff concerns regarding vehicle stacking and emergency vehicle turnarounds.</p>					
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy 2030 Growth Management Area	Growth Management Area 3 – Suburban Neighborhoods					
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • New commercial rezonings can hurt older commercial areas. • Increase density at activity centers and growth corridors at planned locations. 					
Relevant Area Plan(s)	<i>South Suburban Area Plan Update (2017)</i>					
Area Plan	<ul style="list-style-type: none"> • The subject property is recommended for single-family residential 					

Recommendations	<p>use.</p> <ul style="list-style-type: none"> Commercial uses should be consolidated at existing commercial locations, in designated activity centers, and in certain Special Land Use Condition Areas. Commercial areas should not promote strip development.
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Other Applicable Plans and Planning Issues	The County Attorney provided an analysis for spot zoning at the time of first submittal, concluding that approval of the request would not constitute illegal spot zoning (see attachment).
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 <i>Legacy 2030</i>?
Analysis of Conformity to Plans and Planning Issues	<p>No</p> <p>If approved, this request would rezone an undeveloped tract of land from RS9 to GB-S for traditional-style storage services in a suburban area between a commercial node to the north and institutional uses to the south.</p> <p>The <i>South Suburban Area Plan Update</i> recommends single-family residential use of the subject property. While the plan may also recommend redevelopment of the activity center to the north, it does not encourage the expansion of commercial uses down Ebert Road, instead recommending that such uses be concentrated around the intersection with West Clemmons Road. Similarly, <i>Legacy</i> recommends the consolidation of commercial uses at existing commercial locations and in designated activity centers. Staff sees no compelling reason to deviate from the plans and establish new commercial areas southward along Ebert Road.</p> <p>The request could also encourage future strip commercial development along this predominantly residential section of Ebert Road. Staff is further concerned that such a scenario could prove problematic for safe and convenient access to existing schools, as well as to the planned high school to the south.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
If approved, the site plan appears to meet the minimum requirements of the UDO.	The request is not consistent with the low-density residential land use recommendation of the area plan.
	The request would establish commercial zoning for a site which is surrounded by residential zoning.
	The request could discourage new investment and redevelopment of the nearby West Clemmons Road/Ebert Road Activity Center.
	The request may lead to additional strip commercial development along this portion of Ebert Road, which could have a detrimental, long-term transportation impact as it pertains to access to existing and future schools farther south.

STAFF RECOMMENDATION: Denial

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.**

F-1582
USES ALLOWED IN THE EXISTING RS9 ZONING DISTRICT
Forsyth County Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Adult Day Care Home
Agricultural Production, Crops
Agricultural Production, Livestock
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private
Transmission Tower (see UDO)

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)

Church or Religious Institution, Community
Golf Course
Library, Public
Limited Campus Uses
Planned Residential Development
School, Private
School, Public
Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)

Bed and Breakfast
Child Day Care, Large Home
Habilitation Facility A
Manufactured Home, Class A
Park and Shuttle Lot
Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)

Access Easement, Private Off-Site⁵
Parking, Off-Site, for Multifamily or Institutional Uses

⁵SUP not required if requirements of Section [B.2-5.2\(A\)](#) are met



F-1582 big bargain storage #1



Bryce A. Stuart Municipal Building
100 East First Street, Suite 225
Winston-Salem, NC 27101
Fax: 336-748-3163

Phone: 336-747-7068

City of W-S Planning

clift bodenhamer
d. clift bodenhamer jr
po box 251
bethania, NC 27010

Project Name: F-1582 big bargain storage #1
Jurisdiction: City of Winston-Salem
ProjectID: 264603

Wednesday, March 27, 2019

The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Wednesday the week before (8 days prior to) the Planning Board meeting.

Open Issues: 14

Erosion Control

General Issues

10. Erosion Control Plan Needed

City of Winston-Salem
Matthew Osborne
336-747-7453
matthewo@cityofws.org
3/19/19 9:21 AM
Interdepartmental
Review

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: <https://winston-salem.idtplans.com/secure/>

Fire/Life Safety

SITEPLAN2000_190311 Model (1).pdf [6 redlines] (Page 1)

4. Cloud+ B

Forsyth County Fire
Department
Scott Routh
336-703-2560
routhcs@forsyth.cc
3/14/19 7:47 AM
Interdepartmental
Review

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

5. Cloud+ B

Forsyth County Fire
Department
Scott Routh
336-703-2560
routhcs@forsyth.cc
3/14/19 7:47 AM
Interdepartmental
Review

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.

Fire/Life Safety County

General Issues

7. Access

Forsyth County Fire
Department
Scott Routh
336-703-2560
routhcs@forsyth.cc
3/14/19 7:54 AM
Interdepartmental
Review

With the security fence there is several areas that the fire department will not have access to the structures within 150'

SITEPLAN2000_190311 Model (1).pdf [6 redlines] (Page 1)

6. Text Box B

Forsyth County Fire
Department
Scott Routh
336-703-2560
routhcs@forsyth.cc
3/14/19 7:47 AM
Interdepartmental
Review

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exceptions: 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m). 2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

Inspections

General Issues

13. Zoning Use

City of Winston-Salem
Jeff Hunter
336-727-2626
jeffph@cityofws.org
3/22/19 9:46 AM
Interdepartmental
Review

- The parcel will need to be rezoned from the current RS-9 zoning district. If the site is rezoned to a Special Use district, a Special Use District Fee will apply.
- A grading plan will be required, however, this site is within the Forsyth County jurisdiction and does not require a tree save area summary calculations table.
- A standard site plan legend is recommended to be placed on the site plan.
- If the parking spaces consist of gravel, anchored wheels stops will be required for each space.
- A lighting plan is required per UDO-286 requirements.
- A 5 foot pedestrian walkway to the ROW may be required if there is a principal designated building on this site.
- Landscaping: For all landscaping requirements below, indicate the height, spacing and type of vegetation for each per UDO standards.
 - A streetyard is required for all motor vehicle surface areas located within 100 feet of a street
 - right-of-way or vehicular right-of-way.
 - MVSA – a large variety tree must be located within 75 feet of each parking space. Trees located within the MVSA must be in a minimum planting area of 600 square feet.
 - A Type III bufferyard is required adjacent to the residential zoning district.
- Signage requires separate permits. A freestanding ground sign must be 1.5' out of the right-of-way and out of the 10' X 70' site triangle. Indicate these two dimensions on the site plan.

MapForsyth Addressing Team

General Issues

3. Addressing & Street Naming

Forsyth County
Government
Gloria Alford
3367032178
alfordgd@forsyth.cc
3/13/19 12:36 PM
Interdepartmental
Review

The assigned address is 4331 Ebert Rd.
[Ver. 2] [Edited By Gloria Alford]

NCDOT

General Issues

14. NCDOT Comments

NCDOT Division 9
Victoria Kildea
336-747-7900
vrkildea@ncdot.gov
3/25/19 4:18 PM
Interdepartmental
Review

- Show proposed 80' right-of-way per CPT
- NCDOT Driveway Permit required
- NCDOT Encroachment Agreement needed for any utility ties within right-of-way
- Provide enough room for vehicles to be off road while opening and closing gate
- Provide adequate sight distance

Planning

General Issues

1. CPAD

City of Winston-Salem This request does not meet the recommendations of the South Suburban plan update, which recommends single family residential at this location.
Kirk Ericson
336-747-7045
kirke@cityofws.org
3/12/19 1:59 PM
Interdepartmental
Review

2. CAC/Greenway

City of Winston-Salem No comment.
Amy Crum
336-747-7051
amyc@cityofws.org
3/13/19 9:52 AM
Interdepartmental
Review

15. Rezoning

City of Winston-Salem The proposed sign appears to be within the restricted sight triangle. Staff recommends limiting the size of the sign to 6 feet in height and 36 square feet in area.
Desmond Corley
336-727-8000
desmondc@cityofws.org Is there a leasing office for the storage units? Where is it located?
3/26/19 8:50 PM
Interdepartmental The site does not have any turnaround areas for people who cannot get through the gate, nor does it propose any significant off-road vehicle stacking.
Review How will stormwater runoff be managed?
Have you verified that building code requirements for the proposed use can be met with this proposal?
Staff's recommendation is unlikely to change from the initial hearing(s).
[Ver. 2] [Edited By Desmond Corley]

Utilities

General Issues

9. General Comment

City of Winston-Salem Public water and sewer are not currently available for this site.
Charles Jones
336-727-8000
charlesj@cityofws.org
3/18/19 1:55 PM
Interdepartmental
Review

WSDOT

General Issues

11. General Comments

City of Winston-Salem Jeffrey Fansler 336-727-8000
jeffreygf@cityofws.org 3/20/19 3:56 PM
Interdepartmental Review

Dedicate R/W 40' from center per the 2012 CTP. Fee in lieu of sidewalk construction will be required.

SITEPLAN2000_190311 Model (1).pdf [6 redlines] (Page 1)

12. Callout B

City of Winston-Salem Jeffrey Fansler 336-727-8000
jeffreygf@cityofws.org 3/20/19 3:58 PM
Interdepartmental Review

Show 10x70 sight triangles

Summary of Neighborhood Meeting for Case Number F-1582

A banner was placed on the property for two (2) weeks that gave a contact email and phone number for questions/comments and advertised a meeting on October 24th at 7pm. However, the banner fell at some point and this was not immediately discovered. No one called, emailed, or came to the meeting.

Another banner was printed and placed on the property with contact information and advertised a meeting for Tuesday, October 30th, at 7pm. The banner did not fall this time and one person emailed, but no one called or came to the meeting. A picture of the double-sided banner is below.

The one person that emailed asked what our intentions were, but did not reply when we simply stated that we intend to rezone for storage units.



**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR F-1582
MAY 23, 2019**

Desmond Corley presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST:

Jorge Abrego, 4340 Farris Road, Winston-Salem, NC 27127

- I am an adjacent property owner and my main concern is that we do not know whether these shipping containers have been exposed to pesticides and lead paint. Our neighborhood is on well water so I am concerned about contamination.
- Everything about this business is temporary, and because there are no restrictions in place, we do not know what type of business could move in next should they decide to leave.
- I am against the zoning request.

WORK SESSION

Chris Murphy noted that he had spoken to the petitioner before the meeting and the petitioner had forgotten about the meeting. Chris offered to continue the hearing to a later date since the petitioner was not present, but the petitioner instructed Chris to go ahead and go forward with the hearing.

Chris noted that the site plan meets minimum UDO requirements and the Fire Marshal's requirements for access.

The issue of bathroom facilities was raised. Chris noted that from a building code perspective bathrooms are not required if there are no employees onsite.

Chris also noted that things like foundations, footings, tie-downs and other processes would need to be approved before actually becoming a structural element.

MOTION: Clarence Lambe recommended denial of the zoning petition and certified the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith

AGAINST: None

EXCUSED: None

Aaron King
Director of Planning and Development Services

From: [Desmond Corley](#)
To: [Tarra Jolly](#)
Cc: [Beth A. Broom](#)
Subject: FW: rezoning docket F-1582
Date: Thursday, May 23, 2019 3:18:02 PM

From: Margie McKenzie <mmckenz@wakehealth.edu>
Sent: Thursday, May 23, 2019 3:14 PM
To: Desmond Corley <desmondc@cityofws.org>
Subject: rezoning docket F-1582

Dear Mr. Corley,

My husband and I own the property south of the rezoning property across from Evans Road with the one building on the land.

Due to health reasons, we are unable to attend the meeting

We are opposed to the intended request.

1. At the first meeting , they stated they could not put water or sewer on the property. That is not valid since we are able to put water and sewer on our property if we want. It is not easy, but can be done.
2. My concern is the increased traffic especially if the High School is to be built near Flat Rock Middle. People already drive way too fast and it is concerning to add more traffic especially with young drivers on the road.
3. We are concerned about what will be stored on the property and its potential hazard and will it be fenced.
4. We are concerned about the possibility of increase of crime in the area.
5. Also when we purchased property, the agreement included no tractor trailer trailers were allowed on the land.
6. The area is also an area with homes not businesses and we would like to keep it that way.

Please take in to consideration our concerns and vote no for the rezoning.

Thank you for your time and help with this matter.

Margie and Charlie McKenzie

F1582 (S) 6812-69-6922.000
BYERLY GERALD LYNN BYERLY WILLIAM
MICHAEL
1672 BUFFALO RD
SANDY RIDGE NC 27046

F1582 (N) 6813-60-8581.000
BEE DAVID WAYNE
718 HICKS RD
LEXINGTON NC 27295

F1582 (N) 6813-60-0120.000
CRAMER WILLIAM ERNEST CRAMER DEBRA
S
2615 EVANS RD
WINSTON SALEM NC 27127

F1582 (N) 6813-70-0005.000
GILLEY SEAN T
2241 ELIZABETH AVE
WINSTON SALEM NC 27103

F1582 (N) 6812-79-1319.000
HEGE COLE
4410 HANOVER RD
WINSTON SALEM NC 27127

F1582 (N) 6813-70-7188.000
LAYELL EZRA W LAYELL MARTHA
1810 VIRGIL RD
DURHAM NC 27703

F1582 (N) 6813-70-7083.000
LAYELL JOHN B LAYELL SUSAN D
990 S NC 801 HWY
ADVANCE NC 27006

F1582 (N) 6813-70-7581.000
MOUNT CARMEL UNITED METHODIST
4265 EBERT RD
WINSTON-SALEM NC 27127

F1582 (N) 6812-79-5585.000
TESH ETHEL F
5070 SALEM TOWNE DR
WINSTON SALEM NC 27106

F1582 (N) 6812-69-9684.000
ABREGO JORGE M ABREGO CLYNETHIA D
4340 FARISS RD
WINSTON SALEM NC 27127

F1582 (N) 6812-69-9422.000
BROOKS NATHAN J BROOKS ULANDA Y
4350 FARISS RD
WINSTON SALEM NC 27127

F1582 (N) 6813-70-0708.000
CREWS DARYL K CREWS KATHLEEN M
2090 SABRINA LAKE CT
WINSTON SALEM NC 27127

F1582 (N) 6813-70-7366.000
GOFORTH ROBERT E
4976 BECKEL RD
WINSTON-SALEM NC 27127

F1582 (N) 6812-69-4104.000
JUDKINS WILLIAM L JUDKINS KATHRYN O
4365 EBERT RD
WINSTON SALEM NC 27127

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ADVANCE NC 27006

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MCKENZIE CHARLES F MCKENZIE MARGIE O
1833 HUNTERS FOREST DR
WINSTON SALEM NC 27103

F1582 (N) 6813-61-3121.000
SMITH JERRY P SMITH JANE C
2225 TESH RD
WINSTON SALEM NC 27127