

Motion and
Statement of Consistency with Comprehensive Plan
F-1551

I move that the following statement be adopted in support of a **Motion**
to Approve Zoning Map Amendment F-1551:

The proposed Special Use District – No Site Plan zoning map amendment from Limited Office-Special Use (LO-S) to Limited Office-Special Use-No Site Plan zoning (LO-L) with its added conditions is consistent with the Legacy Comprehensive Plan and is reasonable and in the public interest because:

1. the proposed zoning map amendment is consistent with the purpose statement of the requested Limited Office - Special Use - No Site Plan Zoning (LO-L) and intended for application in Growth Management Area 3 in which the subject property is located; and
2. the uses requested under the proposed zoning classification are consistent with the purpose statement of the requested zoning district and compatible with uses permitted on other properties in the vicinity; and
3. the special use district-no site plan zoning request would add only the use of “Offices” to the current limited number of requested uses, which new use is no more impactful to the adjacent properties than the currently approved institutional type uses for the site.

Based on the foregoing Statement, I move adoption of F-1551.

Second:

Vote:

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _____ **AGENDA ITEM NUMBER:** _____

SUBJECT:-

- A. Public Hearing on Special Use District - No Site Plan Request of Renaissance Child Kare, Inc. From LO-S (Funeral Home; Adult Day Care Center; Child Day Care Center; and Church or Religious Institution, Neighborhood) to LO-L (Funeral Home; Adult Day Care Center; Child Day Care Center; Church or Religious Institution, Neighborhood; and Offices): Property is Located on the South Side of Kinney Road, East of Styers Ferry Road (Zoning Docket F-1551)
- 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 - No Site Plan Permit

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

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

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

County Manager

COUNTY ORDINANCE -
SPECIAL USE DISTRICT - NO SITE PLAN

Zoning Petition of Renaissance Child Kare, Inc., Docket F-1551

AN ORDINANCE AMENDING THE
FORSYTH COUNTY ZONING ORDINANCE
AND THE OFFICIAL ZONING MAP OF
FORSYTH COUNTY, N.C.

BE IT ORDAINED by the Board of Commissioners of Forsyth County as follows:

Section 1. The Forsyth County Zoning Ordinance and the Official Zoning Map of the County of Forsyth, N.C. are hereby amended by changing from LO-S (Funeral Home; Adult Day Care Center; Child Day Care Center; and Church or Religious Institution, Neighborhood) to LO-L (Funeral Home; Adult Day Care Center; Child Day Care Center; Church or Religious Institution, Neighborhood; and Offices) the zoning classification of the following described property:

PIN #5895-00-4523

Section 2. This Ordinance is adopted after approval of the Special Use District - No Site Plan Permit issued by the Board of Commissioners the _____ day of _____, 20__ to Renaissance Child Kare, Inc.

Section 3. The Board of Commissioners hereby directs the issuance of a Special Use District - No Site Plan Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be located on the property described in Section One above. Said Special Use District - No Site Plan Permit with conditions is attached hereto and incorporated herein.

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

COUNTY

SPECIAL USE DISTRICT - NO SITE PLAN PERMIT

Issued by the Board of Commissioners

of Forsyth County, NC

The Board of Commissioners of Forsyth County, NC issues a Special Use District - No Site Plan Permit for the zoning petition of Renaissance Child Kare, Inc., (Zoning Docket F-1551). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Funeral Home; Adult Day Care Center; Child Day Care Center; Church or Religious Institution, Neighborhood; and Offices, 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-L zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws. No additional conditions are recommended.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	F-1551
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Renaissance Child Kare, Inc.
Owner(s)	Same
Subject Property	PIN #5895-00-4523
Address	5980 Kinney Road
Type of Request	Special use district-no site plan rezoning from LO-S to LO-L
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LO-S (Limited Office – special use zoning- Funeral Home; Adult Day Care Center; Child Day Care Center; and Church or Religious Institution, Neighborhood) to LO-L (Limited Office – special use – no site plan zoning). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Funeral Home; Adult Day Care Center; Child Day Care Center; Church or Religious Institution, Neighborhood; and Offices <p>NOTE: General, special use – no site plan, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.</p>
Neighborhood Contact/Meeting	See Attachment A regarding the petitioner’s neighborhood outreach efforts.
Zoning District Purpose Statement	The LO District is primarily intended to accommodate moderately intense medical, professional, administrative, and government office 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 Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is already zoned LO-S and serves as a transition between RS9 zoned properties and more intensely zoned HB and RM12-S zoned properties. The site is also located within GMA 3.</p>
GENERAL SITE INFORMATION	
Location	South side of Kinney Road, east of Styers Ferry Road
Jurisdiction	Forsyth County
Site Acreage	± 1.92 acres
Current Land Use	Currently, a one-story 5,000 square foot building used for an office is located on the site.

Surrounding Property Zoning and Use	Direction	Zoning District		Use
	North	RS9		Single family homes
	East	RS9		Single family homes
	South	HB		Shopping center
	West	RM12-S		Child day care
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?			
	Yes, the proposed new use of Offices is no more impactful to the adjacent properties than the approved institutional type uses for the site.			
Physical Characteristics	The partially developed site has a gentle to moderate slope downward toward the eastern central portion of the site.			
Proximity to Water and Sewer	Public water is available to the site and public sewer is available via an easement across an adjacent property.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The site is not located within a water supply watershed.			
Analysis of General Site Information	The site has no apparent development constraints such as steep slopes, watersheds, or floodplains.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Kinney Road	Local Street	190'	N/A	N/A
Proposed Access Point(s)	Because this is a special use district – no site plan request, the exact location of access points is unknown. The site is currently accessed from Kinney Road.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: LO-S</u> 5,000 sf / 1,000 x 9.11 (Church Trip Rate) = 45 Trips per Day.			
	<u>Proposed Zoning: LO-L</u> 5,000 sf / 1,000 x 1.57 (Single Tenant Office Building Trip Rate) = 58 Trips per Day.			
Sidewalks	Sidewalks are located along Styers Ferry Road.			
Analysis of Site Access and Transportation Information	The estimated trip generation for the proposed zoning is comparable to that of the existing zoning. Staff does not foresee any transportation related issues associated with this request.			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	Growth Management Area 3 - Suburban Neighborhoods			
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Promote compatible infill development that fits with the context of its surroundings. 			

Relevant Area Plan(s)	<i>West Suburban Area Plan (2012)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> The proposed Land Use Map shows the property for Institutional Use. Existing institutions should be permitted to grow and expand, in certain circumstances, in a manner that is compatible with surrounding neighborhoods.
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	According to Megan Ledbetter, Planner for the Village of Clemmons, because the subject property is not within the annexation area of Clemmons, the Village has no comment on the proposed rezoning. Staff also reached out for comments to Marty Myers who is the Planner for the Town of Lewisville. He indicated that the Town is okay with the subject request.
Addressing	The address number for the building on this property is required to be posted at the road due to the distance the building is located off the road.
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</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	The special use district-no site plan request would add the use of Offices to the list of permitted uses for the site. Although the subject property was rezoned to the Limited Office special use district in 1999, the use of Offices was not requested at that time. The LO district serves as a transitional district between the adjacent RS9 zoned properties and the HB and RM12-S zoned properties. Planning staff is supportive of the request.

RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1264	RM8-S to LO-S	Approved 7-26-99	Current site	1.92	Approval	Approval

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The site has been zoned LO-S since 1999.	There is no site plan associated with the subject request.
The petition includes a limited number of requested uses.	
The site is adjacent to RM12-S and HB zoning.	
The request complies with the purpose statement of the LO district.	

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-1551
MAY 14, 2015**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning petition.

SECOND: Allan Younger

VOTE:

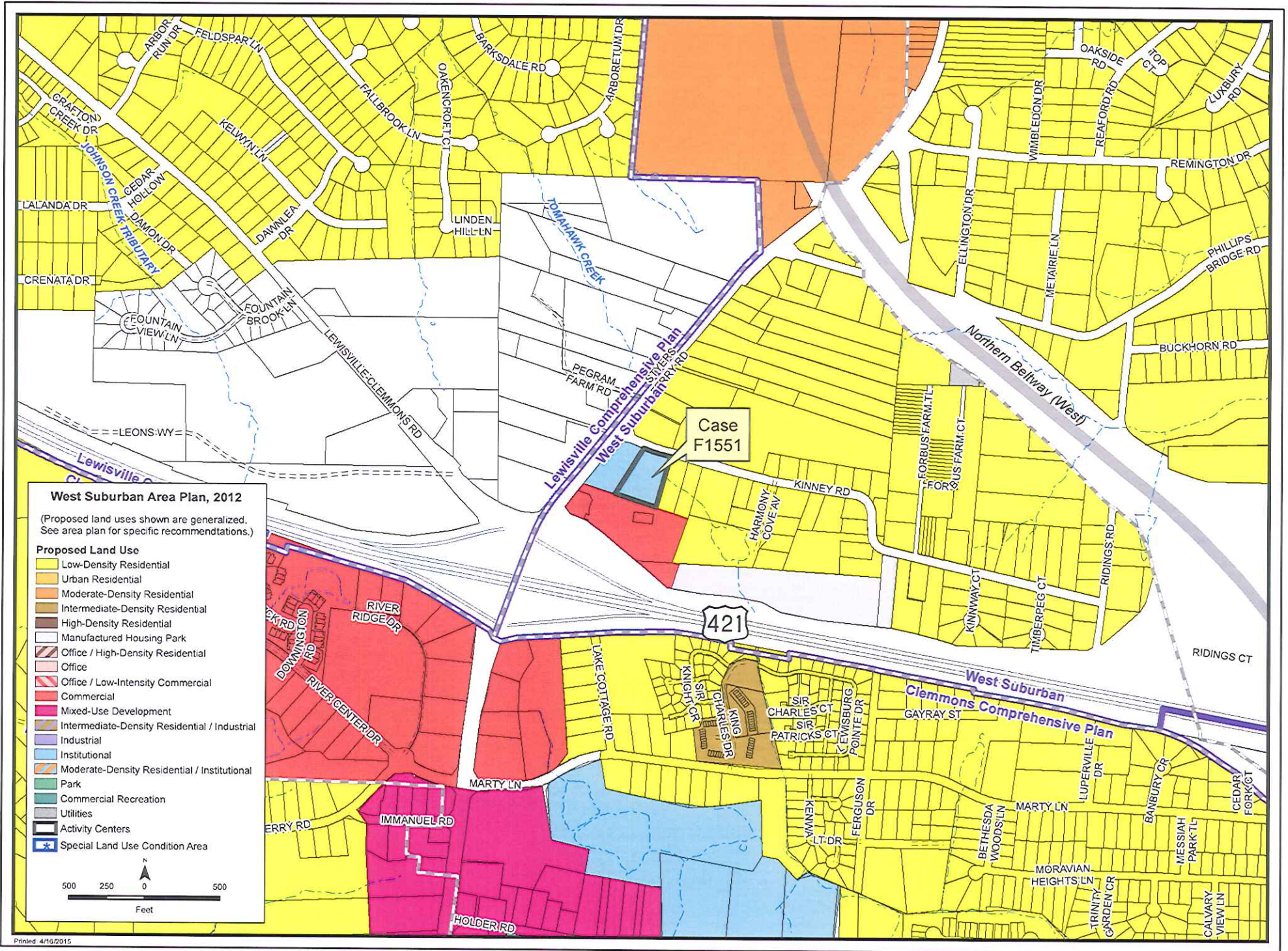
FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Arnold King, Clarence Lambe,
Darryl Little, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor on May 18, 2015, the subject property was in the name of Renaissance Child Kare, Inc.

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



RCK

P.O. Box 609

1310 Lewisville-Clemmons Road

Lewisville, NC 27023

800-334-2014

(336)766-7374

FAX (336)712-3223

March 18, 2015

City of Winston Salem Planning Department

P.O. Box 2511

Winston-Salem, NC 27105

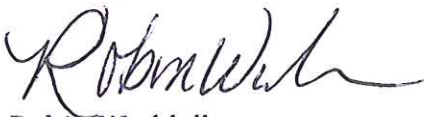
Re: Re-Zoning of 5980 Kinney Road, Lewisville, NC 27023

To Whom It May Concern:

Visits were made to 4 locations surrounding the 5980 Kinney Road location to inform neighbors of the rezoning issue. Unfortunately all 4 locations resulted with no one answering the door. A typed note was left at each location stating the rezoning issue and if I could answer any questions to please call.

Child Network Daycare was called and informed of the re-zoning issue. They had no objections.

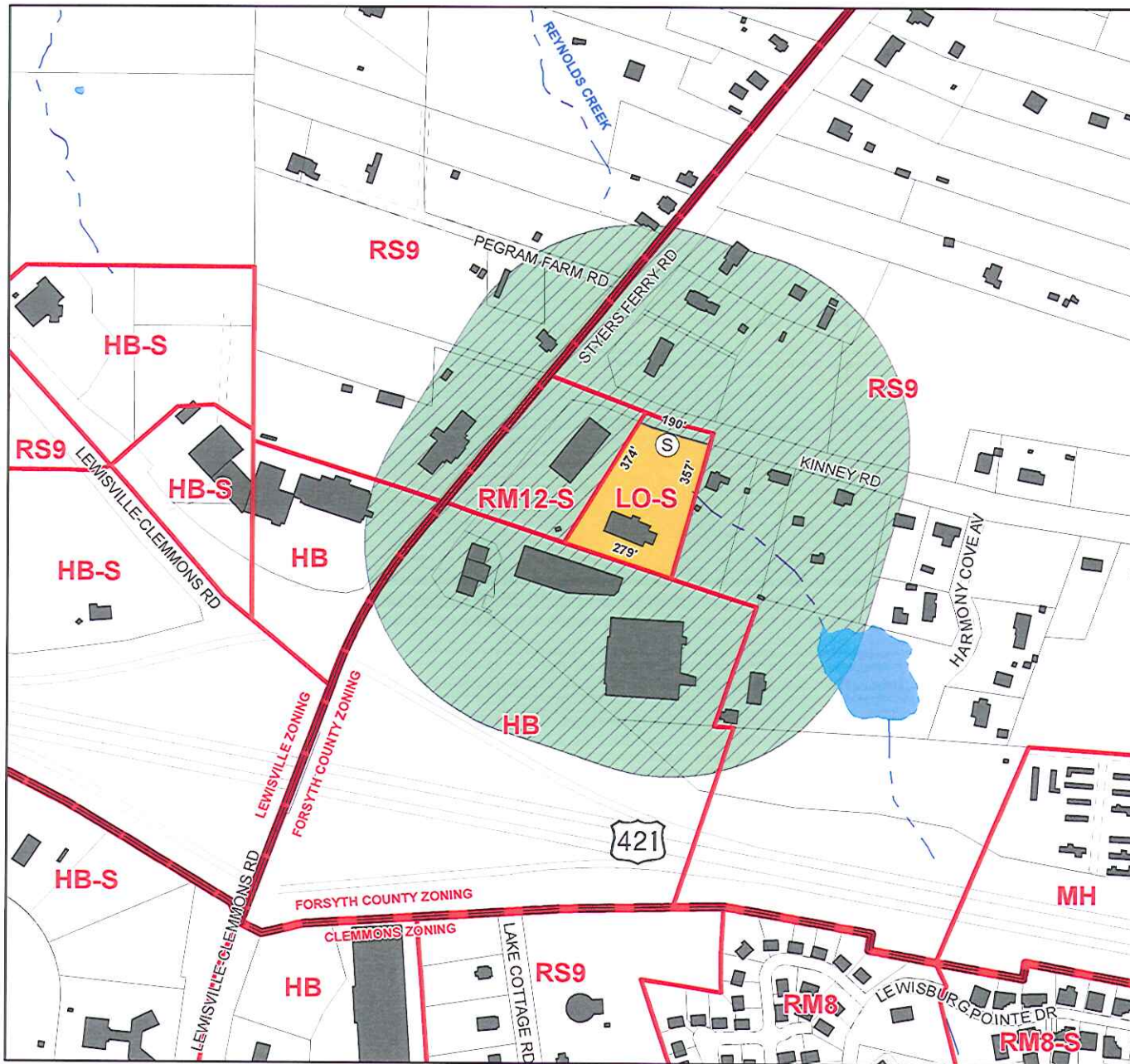
Sincerely,



Robin Waddell

Renaissance Child Kare, Inc.

(336)712-3249




DOCKET #: F1551

PROPOSED ZONING:
LO-L

EXISTING ZONING:
LO-S

PETITIONER:
Renaissance Child Kare Inc.

 Property included in zoning request.

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

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

ACRES: 1.92

NEAREST BLDG: 5' east

MAP(S): 5895.03



Printed: 4/29/2015