

Motion and
Statement of Consistency with Comprehensive Plan
F-1550

I move that the following statement be adopted in support of a **Motion**
to Approve Zoning Map Amendment F-1550:

The proposed special use zoning map amendment with its added conditions is consistent with the Legacy Comprehensive Plan and the Rural Hall Area Plan (2011), and is reasonable and in the public interest because:

1. The Rural Hall Area Plan recommends office and low intensity commercial use for the subject property which is located in the Bethania-Rural Hall Road activity center;
2. The zoning request from RS9 to LB-S is consistent with the purpose statement of the requested zoning district and primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas; and
3. The proposed use of the subject property is compatible with the adjacent GB zoned properties and several conditions have been recommended to reduce the negative impacts on and achieve sensitive transition to the surrounding residential areas.

Based on the foregoing Statement, I move adoption of F-1550.

Second:

Vote:

Motion and
Statement of Consistency with Comprehensive Plan
F-1550

I move that the following statement be adopted in support of a **Motion**
to Deny Zoning Map Amendment F-1550:

The proposed special use zoning map amendment with its added conditions is consistent with the Legacy Comprehensive Plan and the Rural Hall Area Plan (2011), however, it is not reasonable or in the public interest because:

1. The request will extend commercial zoning deeper into a single family residential area;
2. The proposed new retail store will significantly increase traffic in the residential area; and
3. There are aspects of the design of the new retail store and site that are not as compatible with the adjacent residential character.

Based on the foregoing Statement, I move denial of F-1550.

Second:

Vote:

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: May 11, 2015 **AGENDA ITEM NUMBER:** _____

SUBJECT:-

- A. Public Hearing on Zoning Petition of Rural Hall, NC, FD, LLC from RS9 to LB-S (Retail Store): Property is Located on the Southeast Corner of Bethania-Rural Hall Road and Angus Street (Zoning Docket F-1550)
- 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:- YES NO

SIGNATURE: _____ **DATE:** _____
County Manager

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Rural Hall, NC, FD, LLC, Docket F-1550

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 LB-S (Retail Store) the zoning classification of the following described property:

PIN #s 6819-69-3740 (Formerly 6819-69-3635, 3755, and 4657)

Section 2. This Ordinance is adopted after approval of the site plan entitled Family Dollar, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 20____ to Rural Hall, NC, FD, LLC.

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 Family Dollar. 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 Rural Hall, NC, FD, LLC (Zoning Docket F-1550). 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 LB-S (Retail Store), 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 LB-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 BUILDING PERMITS:**
 - a. Developer shall obtain a Land Disturbing Permit.
 - b. An engineered lighting plan shall be submitted to the Inspections Division for the proposed lighting demonstrating the use of full-cut off fixtures, light height of 25' or less and no more than 0.5 foot-candle along all property lines.
 - c. Developer shall dedicate 40' of right-of-way from the centerline of Bethania-Rural Hall Road.
 - d. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on "Exhibit A" as verified by Planning staff.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Lighting shall be installed per approved lighting plan and certified by an engineer.
 - b. Developer shall install sidewalks (minimum five feet (5') in width) along both street frontages.
 - c. Developer shall install an opaque fence along the entire length of the eastern property line as shown on the site plan.
 - d. Building shall be constructed in substantial conformance with the approved building elevations approved by Planning staff.

- **OTHER REQUIREMENTS:**

- a. Freestanding signage shall be limited to one sign with a maximum height of eight (8) feet and a maximum copy area of fifty (50) square feet.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	F-1550
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Rural Hall, NC, FD, LLC
Owner(s)	Same
Subject Property	PIN #s 6819-69-3740 (Formerly 6819-69-3635, 3755, and 4657)
Address	949 Bethania-Rural Hall Road
Type of Request	Special use rezoning from RS9 to LB-S
Proposal	The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS9 (Residential, Single Family; 9,000 sf minimum lot size) to LB-S (Limited Business- special use zoning). The petitioner is requesting the following use: <ul style="list-style-type: none"> • Retail Store
Continuance History	The request was continued (at the request of the petitioner) from the February 12, 2015 Planning Board meeting to the March 12 meeting.
Neighborhood Contact/Meeting	The Town of Rural Hall sponsored a drop-in session to receive public comment at the Rural Hall Town Hall on Thursday, January 22, 2015 from 6-8pm. Also, the following was included in an email received from the petitioner's legal representative, Don Nielsen, on March 3, 2015: " Last night (Monday March 2) Joe Strickland and I had a second community meeting about case F1550 at the Rural Hall Town Hall from 5 to 6:30. We shared the revised site plan as well as drawings of the proposed building (all previously submitted to you). 17 people signed in—there could have been a few who came and didn't sign in but I don't know that. Discussion focused primarily on traffic and the propriety of a retail store in this location and we shared information we had from the February staff report and the Rural Hall Area Plan."
Zoning District Purpose Statement	The LB District is primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods, including smaller business locations up to ten (10) acres in size in rural areas. 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 that this district, in some instances, may serve as a transition between residential districts and other commercial districts. This district is intended for application in GMAs 2, 3, 4, and 5.
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)? Yes, the request is for a retail store on a relatively small corner lot situated between a residential area and an intensely developed commercial area within the Suburban Neighborhoods GMA.

GENERAL SITE INFORMATION				
Location	Southeast corner of Bethania-Rural Hall Road and Angus Street			
Jurisdiction	Forsyth County			
Site Acreage	± 1.02 acres			
Current Land Use	The site is currently undeveloped.			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	RS9	Single family homes	
	East	RS9	Single family home	
	South	GB	Rite Aid	
	West	RS9	Single family homes	
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?			
	The proposed use of Retail Store is compatible with the uses permitted on the adjacent GB zoned property and less compatible with the low density, residential uses permitted on the adjacent RS9 zoned properties. The proposed building is located within close proximity to an adjacent home to the east.			
Physical Characteristics	The site has a gentle slope downward to the west.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Stormwater/ Drainage	The site plan depicts a stormwater management area in the southeastern portion of the site.			
Watershed and Overlay Districts	The site is not located within a water supply watershed.			
Analysis of General Site Information	The site appears to possess no development constraints such as steep slopes, floodplains, or watersheds.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Bethania-Rural Hall Road	Major Thoroughfare	203'	9,300	15,800
Angus Street	Local Street	200'	N/A	N/A
Proposed Access Point(s)	The proposed site plan includes an off-site, shared access with the adjacent Rite Aid Pharmacy located directly south. Rite Aid has direct access onto Bethania-Rural Hall Road. A second access is also proposed onto Angus Street.			
Planned Road Improvements	The <i>Comprehensive Transportation Plan</i> recommends a three lane cross-section with wide outside lanes, curb and gutter, and sidewalks for this section of Bethania-Rural Hall Road.			

Trip Generation - Existing/Proposed	<p><u>Existing Zoning: RS9</u> $1.02 \times 43,560 / 9,000 = 4 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 38 \text{ Trips per Day}$</p> <p><u>Proposed Zoning: LB-S</u> $8,320 / 1,000 \times 53.13 \text{ (Free-Standing Discount Store Trip Rate)} = 442 \text{ Trips per Day}$</p>
Sidewalks	Sidewalks are recommended along both street frontages.
Transit	Transit is not available.
Connectivity	The site will have an internal connection to the adjacent Rite Aid Pharmacy site to the south which has access onto Bethania-Rural Hall Road.
Traffic Impact Study (TIS)	A TIS is not required.
Analysis of Site Access and Transportation Information	<p>Because the proposed retail building would not generate more than 150 vehicular trips during the peak hour, a Traffic Impact Study is not required. While the proposed use would generate approximately 442 trips per day, it appears that the three-lane, Bethania-Rural Hall Road, has excess capacity.</p> <p>The proposed site plan shows two points of access to the site. The first would be an off-site shared access onto Bethania-Rural Hall Road with the existing access for the adjacent Rite Aid Pharmacy to the south. The second access point would be onto Angus Street. To minimize the visual impact onto this otherwise residential portion of Angus Street, and to help calm the traffic which would use this driveway, staff recommends reducing the width of the proposed driveway which is currently proposed for 40 feet.</p>
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	Growth Management Area 3 - Suburban Neighborhoods
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • Increase density at activity centers and growth corridors at planned locations • Construct additional sidewalks
Relevant Area Plan(s)	<i>Rural Hall Area Plan (2011)</i>
Area Plan Recommendations	<p>Specific recommendation for the subject property:</p> <ul style="list-style-type: none"> • Office and low-intensity commercial land use are recommended for the subject property. <p>Properties within the US 52/Bethania-Rural Hall Activity Center:</p> <ul style="list-style-type: none"> • Create a pedestrian-friendly character through the development/redevelopment of properties by ensuring buildings and streets are designed for pedestrian comfort. • Locate new buildings and redevelop existing ones to be closer to the street to create an interesting and inviting public/private streetscape and locate parking to the side or rear of structures to de-emphasize vehicles.

	<p>General area plan recommendations:</p> <ul style="list-style-type: none"> • Protect residential areas from inappropriate residential, commercial, institutional and industrial encroachment. • Concentrate commercial services in designated areas and not allow them to take the form of strip development along major roads in the Planning Area. • Facilitate walking, biking, use of public transportation, and rail, with new development and redevelopment in the Planning Area. <p>Commercial areas should be compact with limited access directly onto major thoroughfares.</p>
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is located within the northern portion of the US 52/Bethania-Rural Hall Road activity center (see area plan recommendations above).
Other Applicable Plans and Planning Issues	The subject property is located within the corporate limits of the Town of Rural Hall. As noted in the attached letter dated February 2, 2015 (Attachment B) the Town does not support the proposed rezoning.
Addressing	The address assignment for this new building is 975 Bethania-Rural Hall 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	<p>The subject request for LB-S zoning would permit the construction of an 8,320 square foot retail building. The site is currently zoned RS9 and contains a single family residence.</p> <p>The <i>Rural Hall Area Plan</i> recommends office and low-intensity commercial use for the subject property which is located within the US 52/Bethania-Rural Hall Road activity center.</p> <p>Although from a land use standpoint the subject request is reasonably consistent with the area plan recommendation, Planning staff emphasizes that the site forms the northern edge of said activity center and it is adjacent to single family homes on three sides. These unique characteristics of the site make the design of the proposed development important, since a design which is insensitive to the adjacent residential could have a negative effect on the neighborhood.</p> <p>In order to achieve a more sensitive transition to the surrounding low density residential areas, Planning staff recommends several conditions. The proposed LB district allows for a thirty-five (35) foot tall sign with a</p>

maximum copy area of seventy-five (75) square feet. Planning staff recommends a maximum sign height of eight (8) feet and a maximum copy area of fifty (50) square feet. To reduce the lighting impacts on said adjacent properties and for motorists on the adjacent streets, staff recommends a lighting condition. Additional recommended conditions include: the provision of sidewalks along both street frontages; and providing an opaque fence along the eastern property line. The developer has agreed to these recommended conditions. Staff also recommends the dumpster be relocated from the highly visible frontage along Angus Street, to the south side of the building, and that the driveway width of the proposed entrance onto Angus Street be reduced as noted previously. The petitioner has volunteered the attached building elevations.

RELEVANT ZONING HISTORIES

There are no recent zoning histories in the vicinity of the subject property.

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

Building Square Footage	Square Footage		Placement on Site
	8,320		Southeastern corner
Parking	Required	Proposed	Layout
	28 spaces	28 spaces	In front of the building
Building Height	Maximum		Proposed
	40'		24'
Impervious Coverage	Maximum		Proposed
	75%		62%
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.3 (G) Limited Business District 		
Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy policies:</i>	Yes	
	(B) <i>Environmental Ord.</i>	N/A	
	(C) <i>Subdivision Regulations</i>	N/A	
Analysis of Site Plan Compliance with UDO Requirements	The proposed site plan is for a 8,320 square foot retail store and associated parking. A stormwater management area is located in the northeastern portion of the site and a 15' Type III bufferyard is shown along the eastern property line adjacent to RS9 zoned property.		

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The request is consistent with the <i>Rural Hall Area Plan</i> in regard to the proposed retail store use.	The request extends commercial zoning deeper into a single family residential area.
The site is adjacent to GB zoning to the south.	The proposed new retail store will increase traffic in the area.
	The Town of Rural Hall does not support the request.

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 BUILDING PERMITS:**
 - a. Developer shall obtain a Land Disturbing Permit.
 - b. An engineered lighting plan shall be submitted to the Inspections Division for the proposed lighting demonstrating the use of full-cut off fixtures, light height of 25' or less and no more than 0.5 foot-candle along all property lines.
 - c. Developer shall dedicate 40' of right-of-way from the centerline of Bethania-Rural Hall Road.
 - d. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on "Exhibit A" as verified by Planning staff.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Lighting shall be installed per approved lighting plan and certified by an engineer.
 - b. Developer shall install sidewalks (minimum five feet (5') in width) along both street frontages.
 - c. Developer shall install an opaque fence along the entire length of the eastern property line as shown on the site plan.
 - d. Building shall be constructed in substantial conformance with the approved building elevations approved by Planning staff.

- **OTHER REQUIREMENTS:**
 - a. Freestanding signage shall be limited to one sign with a maximum height of eight (8) feet and a maximum copy area of fifty (50) square feet.

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.**



March 25, 2015

Rural Hall, NC, FD, LLC
c/o A. Joseph Strickland
P. O. Box 15
Landis, NC 28088

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

Re: Zoning Petition F-1550

Dear Mr. Strickland:

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 Commissioners' Office of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, FAICP
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
Don Nielsen, 100 N. Cherry Street, Winston-Salem, NC 27106
Nancy Cruise, 684 Angus Street, Rural Hall, NC 27045
Shirley Shelton, 941 Bethania-Rural Hall Road, Rural Hall, NC 27045
Larry T. Williams, 7340 Foster Street, Rural Hall, NC 27045
Sarah Whitaker, 690 Angus Street, Rural Hall, NC 27045



Call 311 or 336-727-8000
citylink@cityofws.org

City Council: Mayor Allen Joiner; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; Molly Leight, South Ward; Jeff MacIntosh, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

Forsyth County Commissioners: David R. Plyler, Chairman; Don Martin, Vice Chair; Ted Kaplan; Richard V. Linville; Walter Marshall; Gloria D. Whisenhunt; Everette Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; Allan Younger, Vice-Chair; George M. Bryan, Jr.; Melynda Dunigan; Tommy Hicks; Clarence R. Lambe, Jr.; Darryl Little; Paul W. Mullican; Brenda J. Smith

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR F-1550
MARCH 12, 2015**

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Don Nielsen, 100 N. Cherry Street, Winston-Salem, NC 27106

- The area plan supports what is being proposed here: low-intensity commercial use on this specific site.
- In 2011 the plan went through a Rural Hall citizen advisory committee, the Rural Hall Town Council, this board, and the Forsyth County Board of Commissioners.
- Two public meetings were held at the Rural Hall town hall. Mr. Strickland has also talked with neighbors one-on-one.
- We have made changes based on comments received from the Town of Rural Hall and staff.
- The two biggest questions we heard from neighbors at last week's meeting were, "Why put a retail store here?" and, "What about the traffic?"
- This is located in a Community Activity Center whose purpose is to provide shopping and services which meet day-to-day needs of nearby residents.
- Staff gave the traffic numbers which show the number of trips per day as 442. That is an insignificant number of trips for a road which has a capacity for over 15,800 trips per day and a current count of 9,300 trips per day.
- DOT is revising its plans for this area. We don't know what the new plans will be but we do know that road improvements will only improve the traffic patterns here and in the future.
- The store will provide new jobs for Rural Hall and an increase in tax value for the County and the Town.
- Another concern was whether this store would set a precedent up Rural Hall-Bethania Road. As long as the *Rural Hall Area Plan* is followed, this will not set a precedent.
- We know some of the closest neighbors are in support or have no objections. Mr. Nielsen submitted a petition of those supporting the request and a map noting their locations.
- Neither Mr. Strickland nor his company have any plans for other property in the area.
- No one can deviate from this site plan without coming back through this Board.
- The Town Council has expressed to us that as long as there are neighbors opposed to this rezoning the Town cannot support it.

Joe Strickland, P. O. Box 15, Landis, NC 28088 was available for questions.

AGAINST:

Nancy Cruise, 684 Angus Street, Rural Hall, NC 27045

- We already have traffic congestion at certain times of the day here and this will make it worse.

Shirley Shelton, 941 Bethania-Rural Hall Road, Rural Hall, NC 27045

- I would not mind an office building but am opposed to a retail store.
- Traffic is also a concern to me. Every day traffic is backed up past my house. I'm opposed to them having an access point onto Angus Street.
- The exit will be directly across from my yard so I will have no privacy. There is no way to screen this side of the site from my yard.
- I'm concerned about the lights. There is already too much light in the area at night and this would just add to it.
- From where I sit 400 cars is a lot of cars. We already cannot get out of our driveway.
- Dollar Tree has bought out Family Dollar. The paper said they would be closing a lot of the stores. So why would they want to build another one?

Larry T. Williams, 7340 Foster Street, Rural Hall, NC 27045

- Our Town Council has considered this seriously.
- We are concerned with the traffic conditions in this area.
- The primary concern is with the residential character of the area.
- The Area Plan was adopted as a plan, not as a "this is how it's going to be" document. It was considered as an overall plan not on a site-by-site basis.
- This is not in keeping with the neighborhood, specifically the neighbors across Highway 65 and across Angus Street. There is no way to screen it from the neighborhood.
- There is no assurance that this would not lead to sprawl along these roads.
- Traffic is already having a difficult time exiting via Angus Street and will find other routes through the neighborhood thereby increasing traffic on those roads.
- We feel very strongly about this and request it not be rezoned.

About a dozen people stood to express their opposition to this request.

WORK SESSION

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

Melynda Dunigan: I have serious concerns about this case. Regardless of the capacity, at peak hours of the day it is hard to cross the street much less make a left turn. It's a bottleneck because of US 52 being there. The proposed building just barely fits on the site. As a result the dumpster can only go in one place which is right against the street across from one of the neighbors. That is unacceptable in a residential area. Regardless that the area plan calls for low intensity, the size of the site makes this high intensity per its impact on the neighborhood.

George Bryan: Communities have to make a decision on where they want their residential to be and where they want their business to be. There are some lines which need to be drawn and if Rural Hall feels the line needs to be drawn here then I feel sympathetic to what they are saying.

Paul Mullican: I agree with that and I understand what the Mayor is saying about when we do an area plan, but the developer has done his homework and found a location which is next door to another business. We're trying to put these small operations in neighborhoods and I think this store is low impact. I agree that traffic can be much higher at certain times of day but we have to go by the figures we're given and this is a small impact per the street capacity. There are 10-12 people here against this and it's really a hard decision to make. The neighbors have also done their homework which is why they are here today. This seems like a win-win situation for the neighborhood but I'm not sure the neighborhood feels like that.

Brenda Smith: The property owner who is closest to this site has signed a petition saying they don't oppose it. The traffic issues are driven by the area's proximity to US 52. I imagine the request is partly due to the traffic which is already there rather than drawing traffic from other locations so traffic does not bother me as much. The thing that does concern me is the style of the building. If it could be more in keeping with a residential character I would find it easier to support it.

Paul Mullican: Putting the fence behind the planting is a good idea also.

Clarence Lambe: We place a lot of weight on area plans.

Melynda Dunigan: There are commercial buildings which could be put here which are much more appropriate to the neighborhood. Using the home which was there for a business would be a much better transition into the neighborhood. This large building clashes with the character of the neighborhood.

At the request of a Board member, staff further explained the buffer and streetyard requirements. Staff also explained that the ordinance requires the dumpster enclosure to match the building. The dumpster must also be gated.

Arnold King: Most of the 400 daily trips are already there so you aren't really adding 400 trips per day. I'm torn because some of the neighbors are for it and some are against it. It complies with the area plan. It meets some of our objectives in trying to put small neighborhood services including retail in the neighborhoods.

The usual hours of operation will be 9 AM to 9 PM.

Tommy Hicks: I struggle too because it's the lesser of two evils which may be coming your way. We don't know what could be coming in the future if this is not approved.

Arnold King: I think Angus serves as a dividing line between commercial and retail. I can't see that this would cause commercial to creep across Angus.

Sarah Whitaker, 690 Angus Street, Rural Hall, NC 27045

- My property adjoins this site.
- When all this discussion started I told Mr. Strickland I'd work with him as best as I could. We have had our disagreements but we have worked together to come up with something which would work for me. The fence is what sold me.
- I am the first house on Angus Street. I see where most of the traffic is from those two little businesses down the street.
- I've never seen traffic back up past my driveway.

MOTION: Melynda Dunigan moved denial of the zoning petition and certified that 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

AGAINST: Tommy Hicks, Arnold King, Clarence Lambe, Darryl Little, Paul Mullican, Brenda Smith

EXCUSED: None

Motion failed.

MOTION: Paul Mullican moved approval of the zoning petition and certified that the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: Clarence Lambe

VOTE:

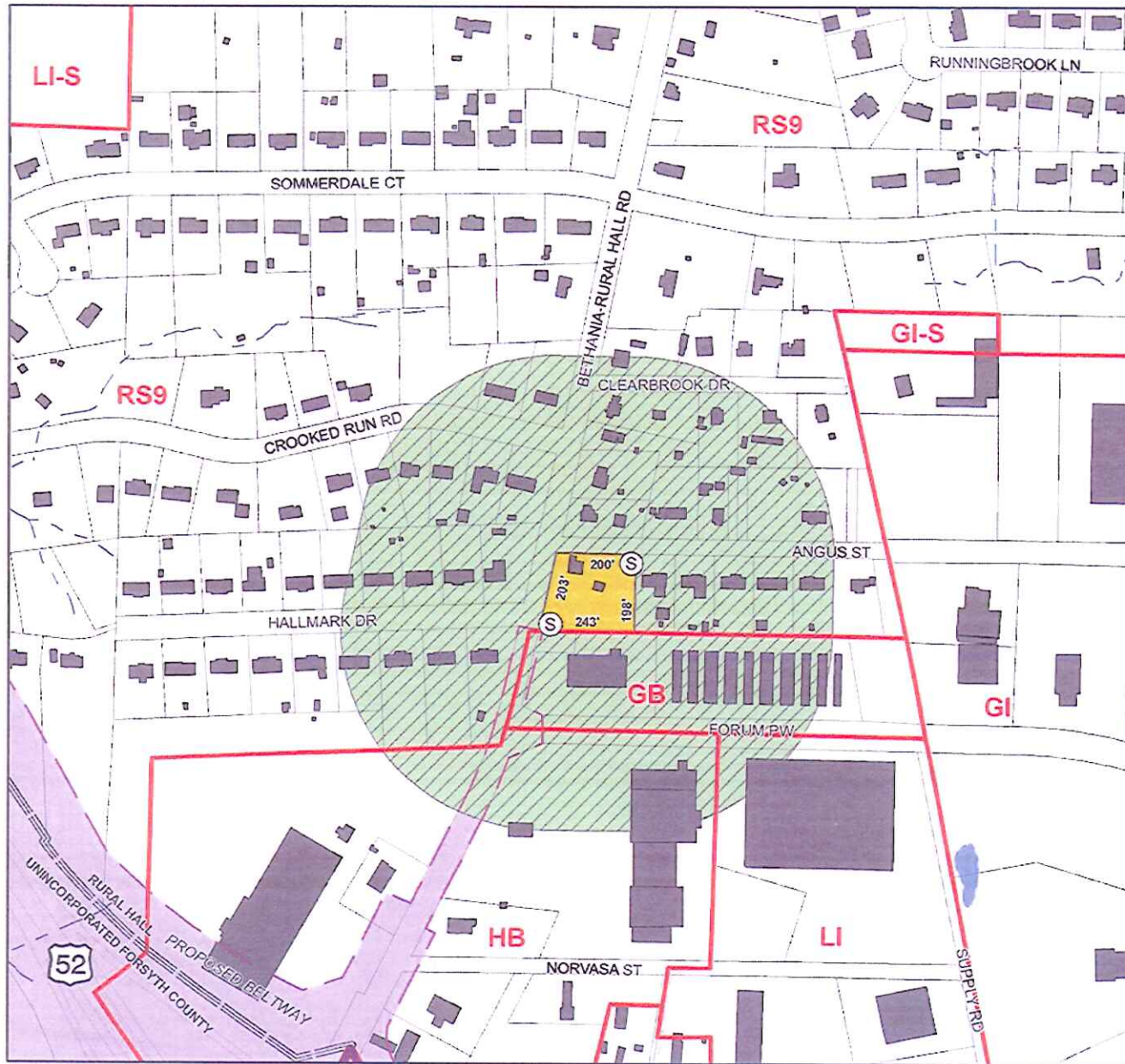
FOR: Tommy Hicks, Arnold King, Clarence Lambe, Darryl Little, Paul Mullican, Brenda Smith

AGAINST: George Bryan, Melynda Dunigan

EXCUSED: None

According to information furnished by the Office of the Tax Assessor on March 25, 2015, the PIN #s listed on the application have been consolidated as PIN #6819-59-3740. The property for PIN #6819-59-3740 was in the name of Rural Hall NC FD LLC.

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





DOCKET #: F1550
(Continued from 2/12/2015)

PROPOSED ZONING:
LB-S

EXISTING ZONING:
RS9

PETITIONER:
Rural Hall, NC, FD, LLC
(Family Dollar)

 Property included in zoning request

 500' mail notification radius. Property not in zoning request

SCALE: 1" represents 400'

STAFF: Roberts

GMA: 3

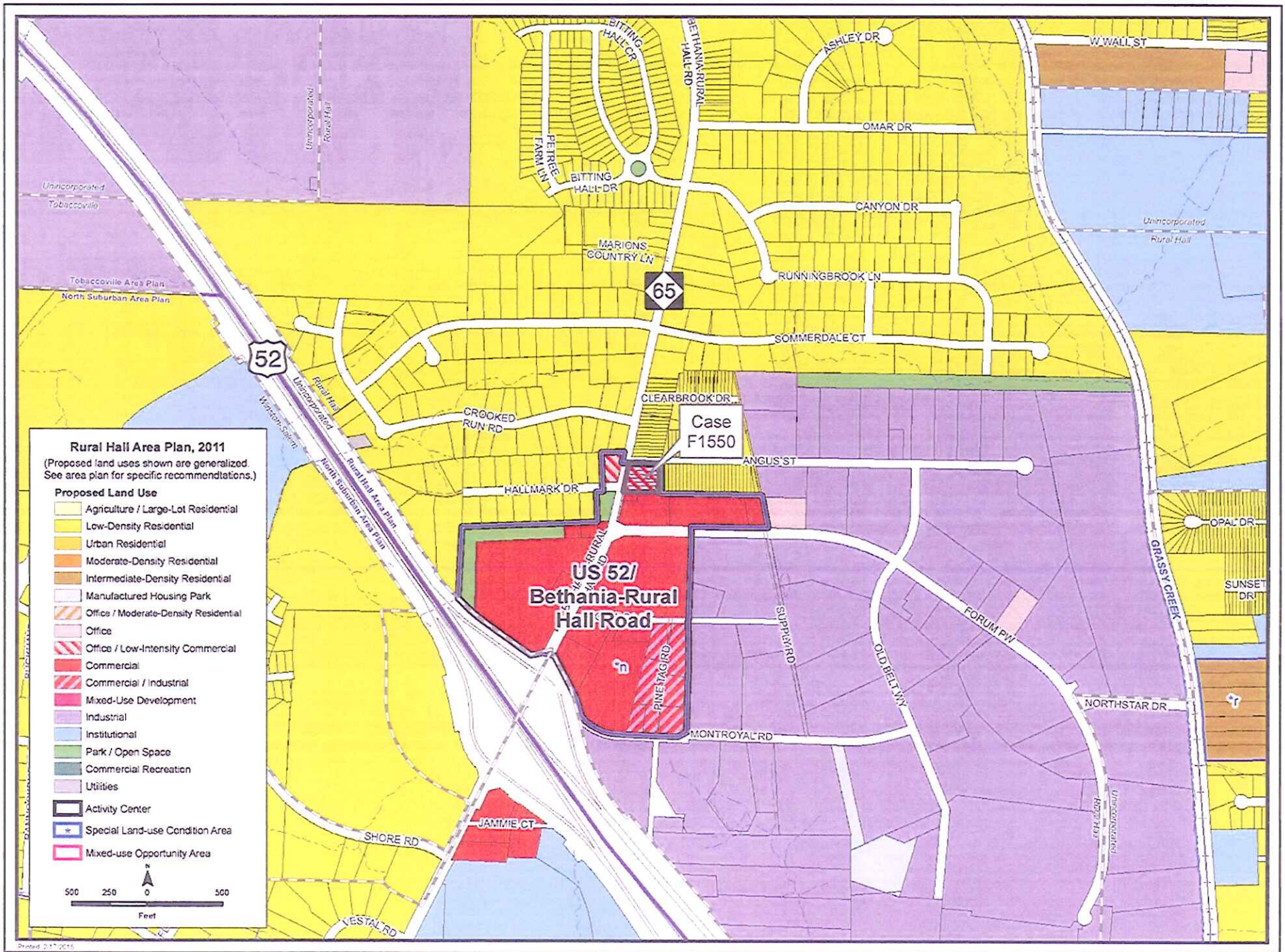
ACRES: 1.02

NEAREST BLDG: 10' east

MAP(S): 6819.02

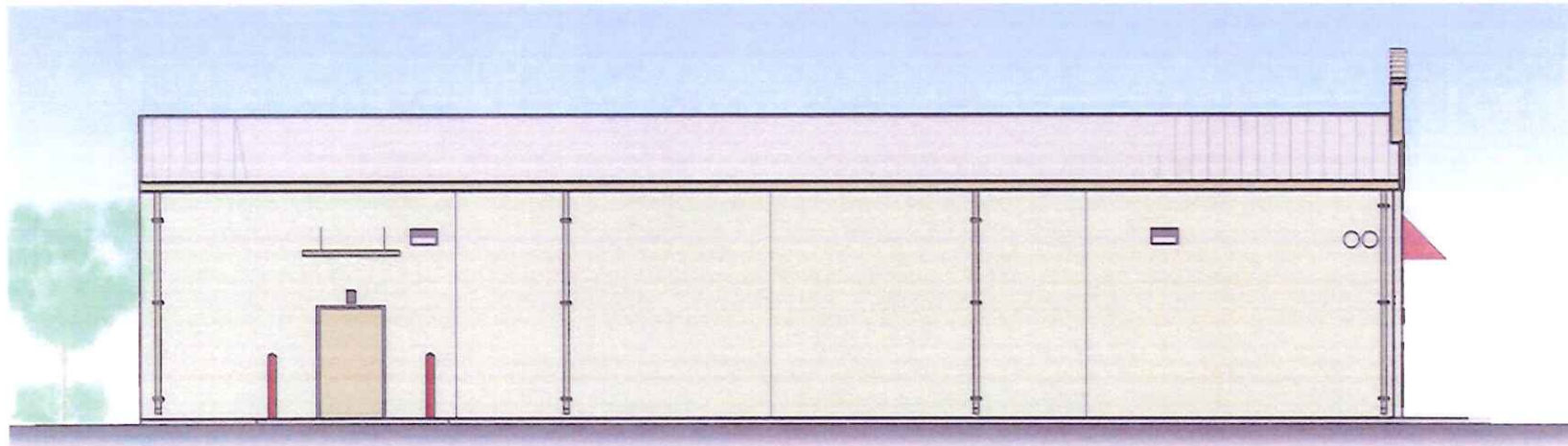


Printed: 2/24/2015





FRONT ELEVATION



SIDE ELEVATION



SHERWIN WILLIAMS
SW 6148
Wool Skein



SHERWIN WILLIAMS
SW 6122
Camelback



NICHIHA
Architectural Block
Tuscan



SHERWIN WILLIAMS
SW 6871
Positive Red



NICHIHA
EF623 Cinderstone II
Tan



FAMILY DOLLAR STORE 104 X 80
RURAL HALL, NORTH CAROLINA

LIS INC.
2-26-15

USES ALLOWED IN THE RS9 ZONING DISTRICT

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
Landfill, Land Clearing/Inert Debris, 2 acres or less
Manufactured Home, Class A
Park and Shuttle Lot
Transmission Tower

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

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

INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

Project Case Number: F-1550

PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS

Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. Further, please note that additional information may be forthcoming from Departments that indicate "See Emailed Comments" or other similar phrase. 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-1550 **PROJECT TITLE:** Family Dollar **DATE:** January 28, 2015

PROJECT DESCRIPTION: Southeast corner of Bethania-Road and Angus Street

NCDOT- Phone # - 336.747.7900 Email: warcher@ncdot.gov
No Comments

WSDOT- Phone # - 336.747.6872 Email: conniej@cityofws.org
Bethania Rural Hall Road is a major thoroughfare with a future cross-section of 3-B with sidewalk and bike accommodations. Dedicate right-of-way 40' from center. Why is the drive aisle 40'? Connection to shared drive should not have a left turn movement as this would flow against the Rite Aid drive thru circulation. Dumpster angle will be difficult to service.

City Engineer- Phone # - 336.747.6846 Email: albertcg@cityofws.org
1. No comments

Inspections (Zoning)- Phone # - 336.747.7455 Email: donnagb@cityofws.org
-Need copy of recorded shared access easement or reference book and page number
-Show interior Motor Vehicle Surface Area (MVSA) plantings
-Change Angus St on left side of plan to Hallmark Drive
-Label dumpster enclosure height/type
-Air handling machinery/condenser must be 50' from residentially zone property
-Remove density calculations
-Show turning template for dumper and loading space

Erosion Control - Phone # - 336.747.7453 Email: matthewo@cityofws.org
An Environmental Grading and Erosion Control Permit will be required if more than 10,000 square feet is to be disturbed during any potential construction. An Erosion and Sedimentation Control plan must be submitted and approved before the permit can be issued. Please submit this plan at least 30 days prior to the intended start date of construction.

Stormwater Division- Phone # - 336.747.6961 Email: josephf@cityofws.org
No comment

INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

Project Case Number: F-1550

Fire (County)- Phone # - 336.703-2550 Email: smithbj@forsyth.cc

No comments needed at this time based from the site plan provided.

Utilities- Phone # - 336.747.7309 Email: jackf@cityofws.org

Any existing water and/or sewer connections will require evaluation for compliance with backflow preventer requirements, connection serviceability, and/or termination at the main.

Sanitation- Phone # - 336.748.3080 Email: randallb@cityofws.org

No comments

Planning- Phone # - 336.747.7043/747.7068 Email: aaronk@cityofws.org

Staff recommends a sign condition of 8' in height/50sf of copy area; staff recommends sidewalk on BRH Road and Angus; recommend reducing the driveway width onto Angus; can the dumpster be moved to the south side of the building? Recommend opaque fence along boundary with residential zoning; recommend a lighting condition.

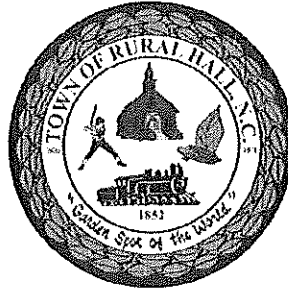
Street Names/Addresses -336.747.7048 Email: benfs@cityofws.org

The address assignment for this new building is 975 Bethania-Rural Hall Rd.

TOWN OF RURAL HALL

RECEIVED

FEB 04 2015



MAYOR

Larry T. Williams

MAYOR PRO TEM

John N. McDermon

COUNCILMEN

Jerry H. Canady

C. Thomas Griggs

Ricky S. Plunkett

TOWN MANAGER

Frank L. James

TOWN CLERK

Dora K. Moore

February 2, 2015

Mr. Gary Roberts
City-County Planning Board
PO Box 2511
Winston-Salem, NC 27102

Dear Mr. Roberts:

Thank you for the opportunity to make a recommendation to the City-County Planning Board regarding a recent rezoning request for a standalone Family Dollar at the corner of Bethania-Rural Hall Road (NC HWY 65) and Angus Street.

The Council has discussed this request on a couple of occasions. We have also been briefed on the citizen comments shared at a forum hosted by the developer.

Based upon citizen input, current traffic conditions and uncertainties regarding roadway construction, our Council voted today to recommend the rezoning request be denied. Should you have any questions, feel free to contact me at Town Hall (969-6856) or my residence (969-5444).

Sincerely,

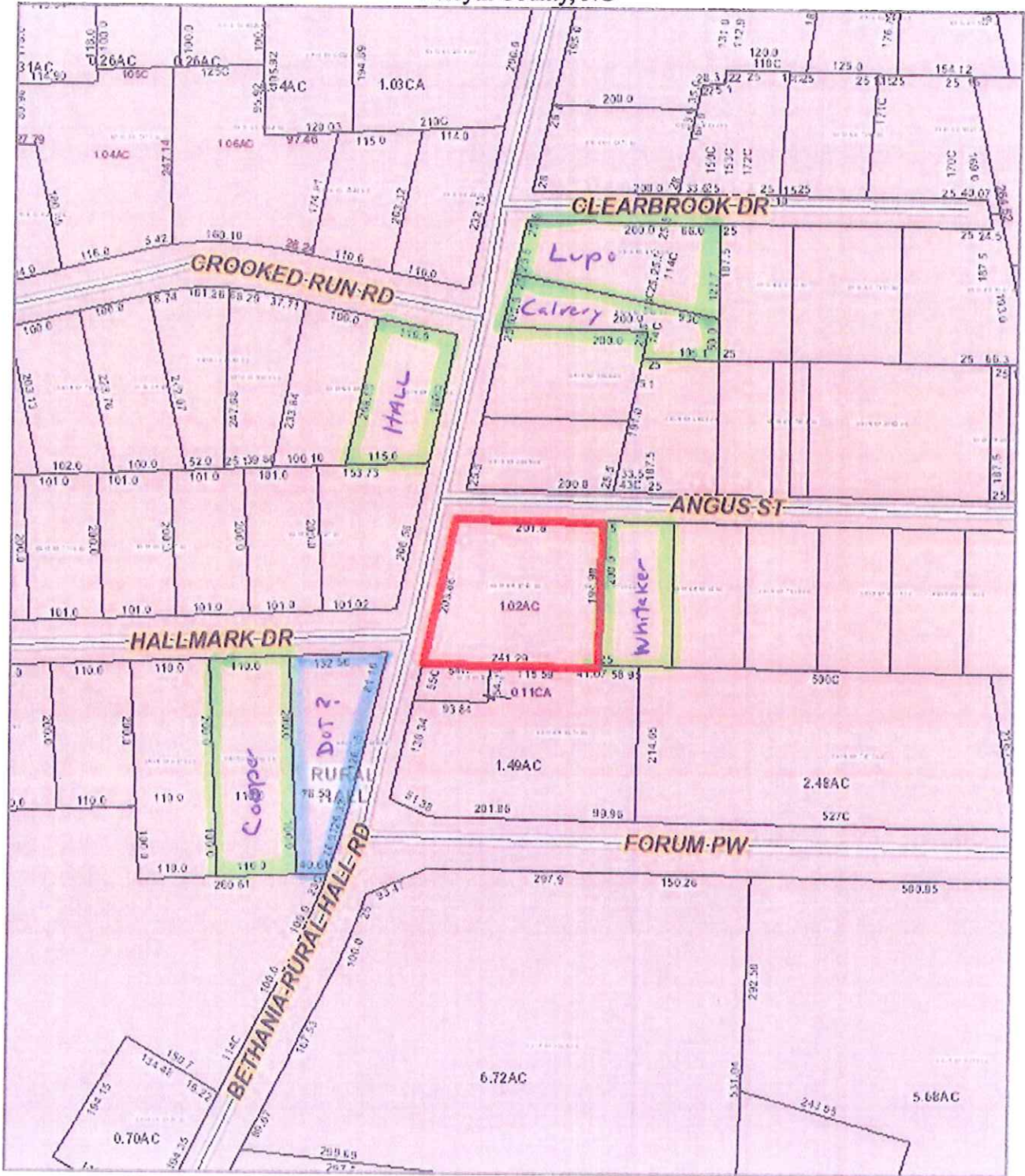
Larry T. Williams
Mayor

LTW/dkm

C: Rural Hall Town Council
Town Manager

F-1550 Attachment B

Forsyth County, NC



Disclaimer: Forsyth County cannot guarantee the accuracy of this information, and the County hereby disclaims all warranties, including warranties as to the accuracy of this information.

Map Scale
1 inch = 200 feet
3/11/2015