# **FORSYTH COUNTY**

## BOARD OF COMMISSIONERS

MEETING DATE:	MARCH 19, 2020 AGENDA ITEM NUMBER:	1A - 1D
В.	PUBLIC HEARING ON ZONING PETITION OF PASQUALE LOOZ LB-S (RESTAURANT (WITHOUT DRIVE-THROUGH SERVICE); CAND BREAKFAST; VETERINARY SERVICES; AND RECREATIO PUBLIC): PROPERTY IS LOCATED ON THE SOUTHEAST CORN BETHANIA-RURAL HALL ROAD AND ANGUS STREET (F-1590)  ORDINANCE AMENDING THE FORSYTH COUNTY ZONING ORE OFFICIAL ZONING MAP OF THE COUNTY OF FORSYTH, NORTH APPROVAL OF SPECIAL USE DISTRICT PERMIT	OFFICES; BED NAL FACILITY, NER OF
D.	APPROVAL OF SITE PLAN	
COUNTY MANA	AGER'S RECOMMENDATION OR COMMENTS:	
SUMMARY OF I	NFORMATION:	
See attached sta	ff report.	
After consideration	on, the Planning Board recommended approval of the rezoning petitic	
	petition of the rezoning petition	n.
ATTACHMENTS:	X YES NO	
SIGNATURE:	COUNTY MANAGER DATE: March 17, 2020	

# Motion to Approve Zoning Map Amendment F-1590 and Statement of Consistency with Comprehensive Plan

I move that Zoning Map Amendment F-1590, including site plan and special use district, be **approved** on the basis of the following:

The proposed special use zoning map amendment, as petitioned by Pasquale Looz to rezone a 0.96-acre piece of property from RS9 to LB-S (Restaurant (without drive-through service); Offices; Bed and Breakfast; Veterinary Services; and Recreational Facility, Public), is consistent with the recommendations of the Legacy Comprehensive Plan and reasonable or in the public interest because

- 1. The subject property is located at an intersection along a major thoroughfare and is surrounded by single family homes and adjacent to a pharmacy, with Highway Business and Light Industrial zoning nearby;
- 2. The proposed LB-S zoning is intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas, and may serve as a transition from residential areas to more commercial areas; The use proposed for the subject property would be consistent with uses for the adjacent properties;
- 3. The proposed use would provide a modest scale restaurant to serve nearby neighborhoods and would be consistent with the intent of LB zoning and with uses of adjacent and nearby properties;
- 4. The subject property is located in GMA 3, which is suitable for LB-S zoning, and is within the US 52/Bethania-Rural Hall Activity Center; and
- 5. The request proposes LB-S zoning which is consistent with the Rural Hall Area Plan Update and is supported by the Town of Rural Hall.

	The supported by the Town of Rural F	lall.
Second:		

Vote:

### COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Pasquale Looz, Docket F-1590

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 (Restaurant (without drive-through service): Offices; Bed and Breakfast: Veterinary Services; and Recreational Facility, Public) the zoning classification of the following described property:

PIN# 6819-69-3743

Section 2. This Ordinance is adopted after approval of the site plan entitled Little Italy Restaurant, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_ to Pasquale Looz.

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 Little Italy Restaurant. 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 <a href="Pasquale Looz">Pasquale Looz</a> (Zoning Docket F-1590). 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 (Restaurant (without drive-through service); Offices; Bed and Breakfast; Veterinary Services; and Recreational Facility.

Public), approved by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_ 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:

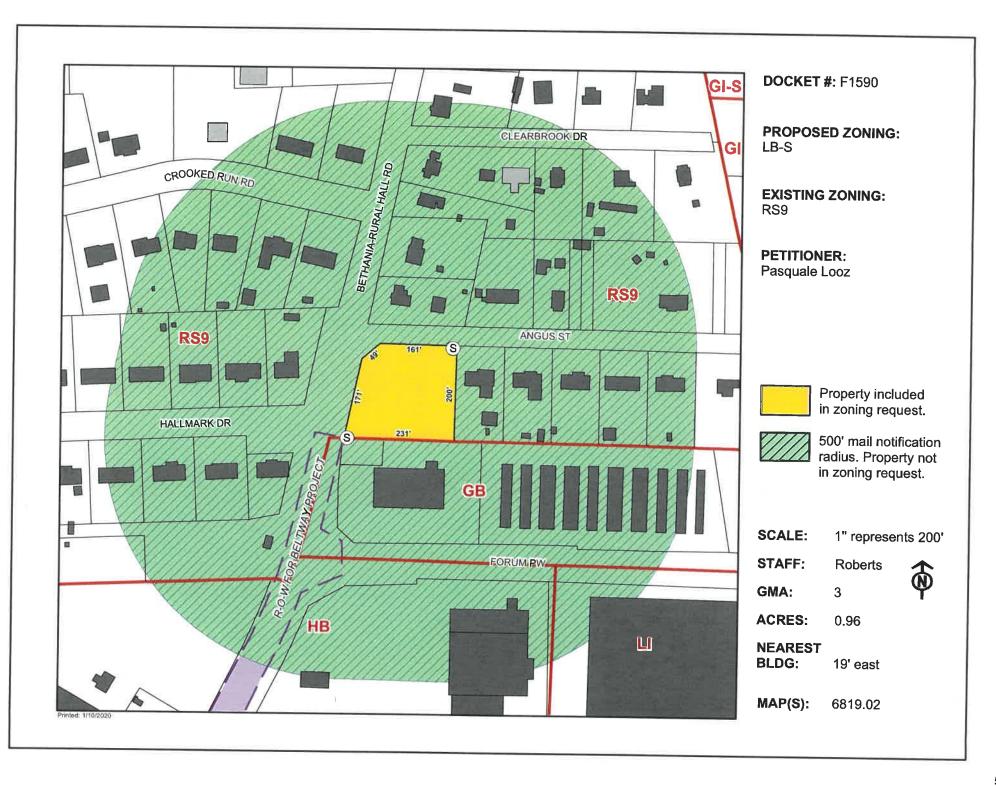
a. Proposed building plans shall be in substantial conformance with the approved elevations as verified by Planning staff.

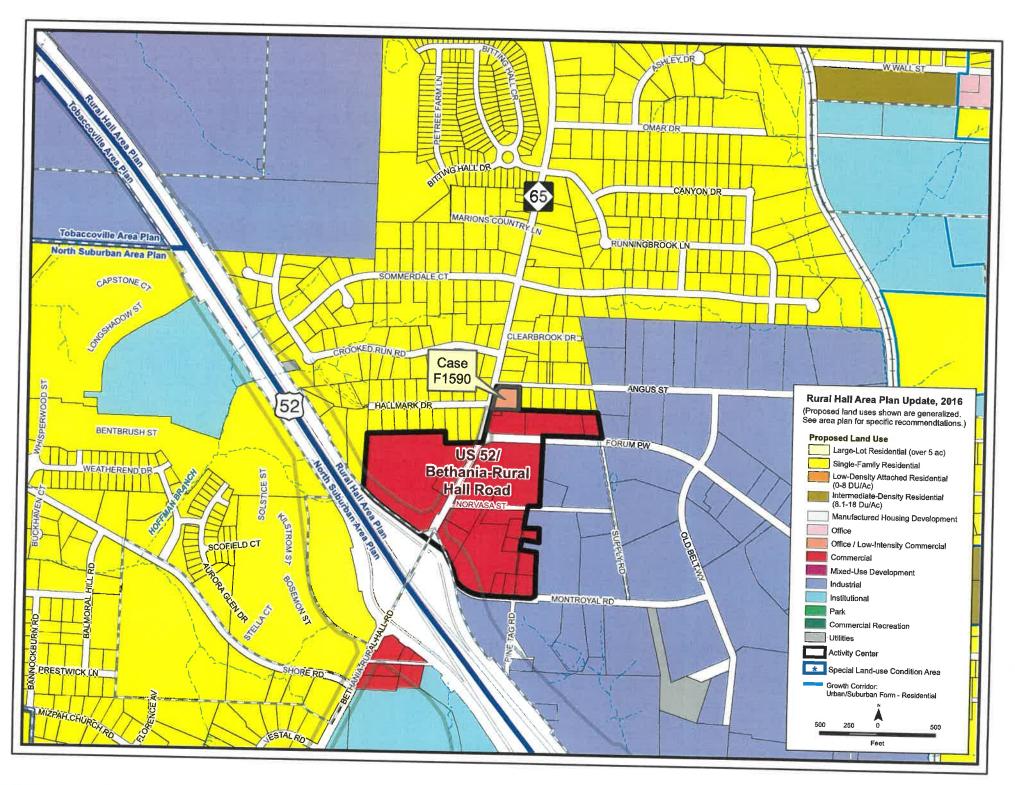
### • PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. Developer shall install sidewalks (minimum five feet in width) along both street frontages.
- b. Developer shall install a six-foot privacy fence along the entire length of the eastern property boundary as shown on the site plan.
- c. Building and dumpster screening shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.

### • OTHER REQUIREMENTS:

- a. No freestanding signage shall be permitted, and all attached signage shall be externally illuminated.
- b. Developer shall install the full plantings of a 15-foot Type II bufferyard along the eastern property boundary. No planting reduction will be credited for the provision of a privacy fence (as shown on site plan).







## **LEFT SIDE ELEVATION** (Facing Angus St.)

#### TREAL EXERGER TANKES

THE EXTERIOR FINISHES WILL BE THE FOLLOWING: EXTERIOR INSULATED FINISH ST&TEM
(EFS.) MANAFACTURED STONE VENEER BRICK VENEER, AND CEMENTITIOUS TRAIN
BOARDS. TYPICAL ROOTING IS TO SE PRESIDELASS "ARCHITECTURAL" SINISHES.

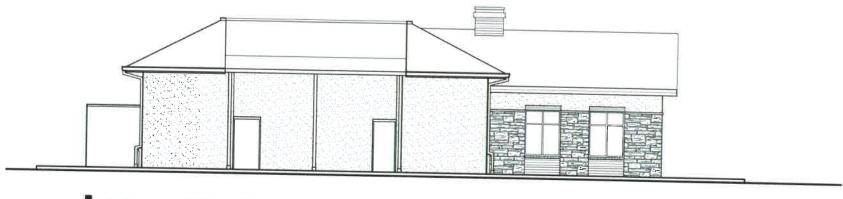


FRONT ELEVATION (Facing Bethania Rural Hall Rd.)

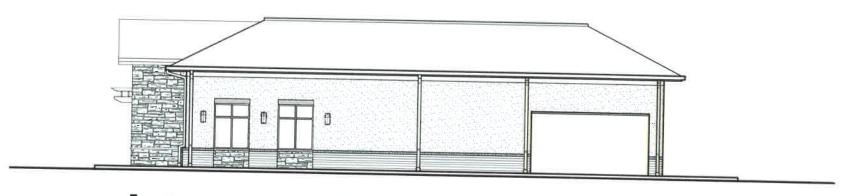
LITTLE ITALY PIZZA and ITALIAN RESTAURANT

Bethania Rural Hall Road, Rural Hall, NC





### REAR ELEVATION (Facing Parking)

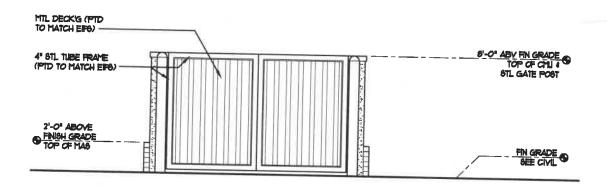


## RIGHT SIDE ELEVATION (Facing Parking)

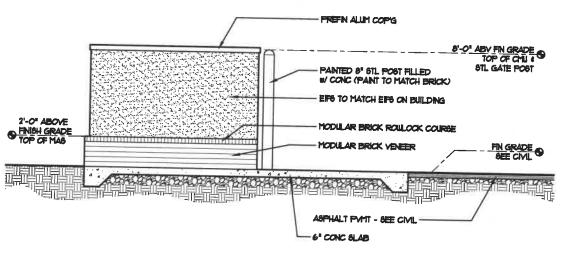
LITTLE ITALY PIZZA and ITALIAN RESTAURANT

Bethania Rural Hall Road, Rural Hall, NC



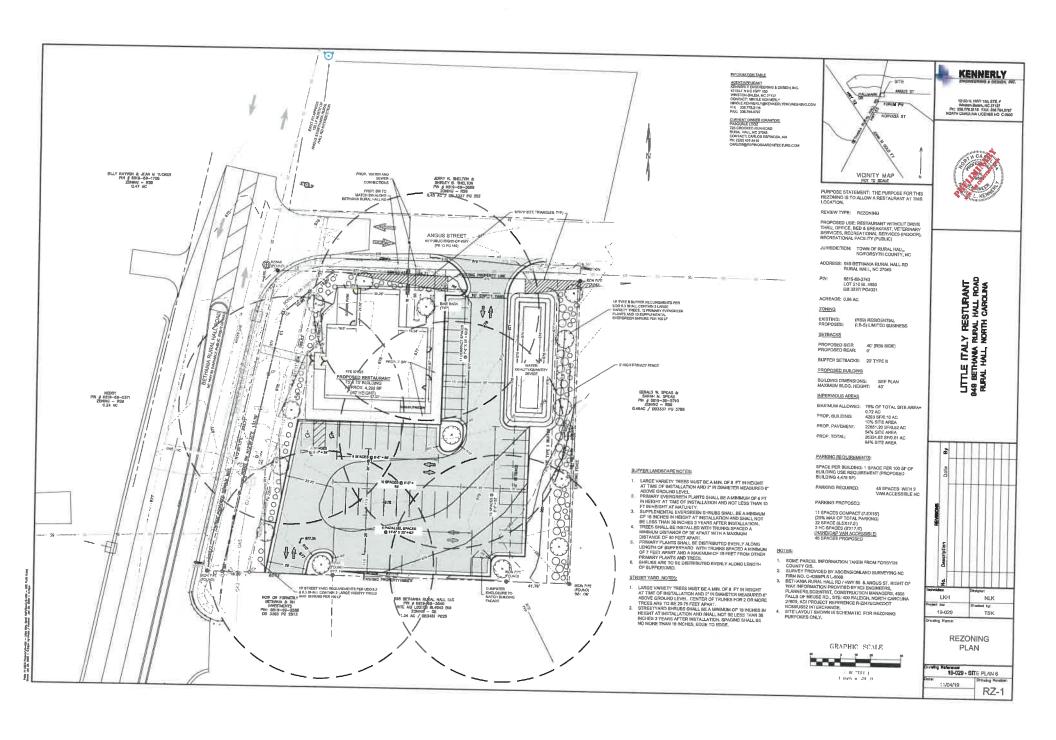


#### FRONT ELEVATION



### SIDE ELEVATION







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.cityofus.org/planning March 19, 2020

Pasquale Looz 725 Crooked Run Road Rural Hall, NC 27045

Re: Zoning Petition F-1590

#### 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 Commissioners' 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 Dickie Speas, 804 Sommerdale Court, Rural Hall, NC 27045 Brenda Holloway, 115 Buckhaven Court, Rural Hall, NC 27045



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 Scippio, 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. Linville; Tonya McDaniel; Gloria D. Whisenhunt; Manager: Dudley Watts, Jr.

County

### CITY-COUNTY PLANNING BOARD STAFF REPORT

	PE	TITION INFORMATION	V				
Docket	F-1590	THE THE SKINATION					
Staff	Gary Roberts	Jr., AICP					
Petitioner(s)	Pasquale Looz						
Owner(s)	Same						
<b>Subject Property</b>	PIN 6819-69-	3743					
Address	696 Angus St						
Type of Request		ezoning from RS9 to LB-S					
Proposal	The petitioner	is requesting to amend the	Official Zoning Map for the				
	minimum let	ty <u>from</u> RS9 (Residential,	Single-Family – 9,000 sf				
· ·	netitioner is re	size) to LB-S (Limited Businessian the full	iness – Special Use). The				
	• Rectaurant	equesting the following uses	S:				
	Rreakfact:	(without drive-through serv	vice); Offices; Bed and				
Neighborhood		Veterinary Services; and Re					
Contact/Meeting		the petitioner's neighborho					
<b>Zoning District</b>	The LB Distri	ct is primarily intended to a	accommodate moderately				
Purpose	intense neighb	orhood shopping and servi	ce centers close to residential				
Statement	areas. The dist	trict is established to provid	le locations for husinesses				
	which serve no	earby neighborhoods, inclu	ding smaller business locations				
	up to ten (10)	acres in size in rural areas.	The district is typically located				
	near the inters	ection of a collector street	or thoroughfare in areas which				
	are otherwise	are otherwise developed with residences. Standards are designed so that					
	this district, in some instances, may serve as a transition between						
	residential dist	ricts and other commercial	districts. This district is				
Rezoning	Intended for ap	oplication in GMAs 2, 3, 4	and 5.				
Consideration	is the proposa	l consistent with the purp	ose statement(s) of the				
from Section	Vos. the site in	ing district(s)?					
3.2.15 A 13	viithin GMA 2	located at an intersection al	ong a major thoroughfare				
	provide a mod	(Suburban Neighborhoods)	. The request would also				
	neighborhoods	est scale restaurant which v	vould serve nearby				
Location	GENERAL SITE INFORMATION Southeast corner of Bethania-Rural Hall Road and Angus Street						
Jurisdiction	Forsyth County	(Rural Hall)	oad and Angus Street				
Site Acreage	Forsyth County (Rural Hall) ± .96 acre						
Current							
Land Use	The site is curre	ently undeveloped.					
Surrounding	Direction	Zoning District	Use				
Property Zoning	North	RS9	Single-family homes				
and Use	East	RS9	Single-family home				
	South	GB	Walgreens Pharmacy				
	West	RS9	Single-family homes				
		13.07					

Rezoning Consideration		COL	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
from Section 3.2.15 A 13			The proposed uses are compatible with those permitted on the adjacent GB property (south) but less compatible with the low-density residential uses permitted on the surrounding RS9 properties.					
Physical Charact		1		d site is grassed		•		
Proximi Water a	ty to nd Sewer	Pub	lic water and Angus Stree	d sewer service	exist within	Bethania-Ru	ıral Hall Road	
Stormwa Drainag	e	The		picts a stormwa	ter managei	nent area in t	he northeastern	
Watershed and Overlay Districts  The site is not located within a water supply watershed.								
Analysis General Informa	Site	aeve	subject propelopment concersheds.	perty is a corner	lot that app steep slope	that appears to possess no ep slopes, floodplains, or water supp		
			RELEVA	NT ZONING	HISTORIE	ES		
Case	Reque	st	Decision & Date	& Direction from Site	Acreag e	Recommendation		
F-1550	RS9 to L		Denied 5/11/2015	Current	1.02	Staff CCPB Approval Approva		
	SITE	ACC	CESS AND T	TRANSPORT	ATION IN	FORMATIO	N	
			ssification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Bethani Hall	Road		Major roughfare	195 feet	17,000	13,800		
Angus			cal Street	185 feet	N/A		N/A	
Proposed Point(s)	ž.	Acce site to Road	o me south.	provided from The site will no	Angus Street have acces	et and through s from Betha	the adjacent	
mproven	Bethania-Rural Hall Road is currently being widened to a four-lane section with a divided median, curb and gutter, and sidewalks.					four-lane alks.		
Frip Geno Existing/F		.96 acday	ore / 9,000 sf	$\frac{RS9}{S} = 4 \text{ homes x 9}$ $LB-S$	57 (single-t	amily trip rat	e) = 57 trips per	
4,293 sf / 1,000 x 89.  Sidewalks Sidewalks will be ins				installed along	both street	frontogos	trips per day	
ransit		Not a	vailable.	instance along	oom street	nomages.		
Connectiv		The s	ite will have nacy site to the	an internal con he south, which	nection to the	ne adjacent Wonto Bethania	algreens a-Rural Hall	

Transportation Impact Analysis (TIA)	A TIA is not required.				
Analysis of Site Access and Transportation Information	The site fronts on Bethania-Rural Hall Road, which is currently being widened to a multi-lane facility in association with the Northern Beltway. The developer will need to coordinate with NCDOT regarding Transportation Improvement Project R-2247EC.				
	southern property bound building are shown alon	on to the lary. Side	existing acc walks with	lateral connections to the	
SITE PLA	N COMPLIANCE WITH	UDO CI	LEARCOD	E REQUIREMENTS	
Dunuing	Square Footage			Placement on Site	
Square Footage	4,293 (plus 182 square outdoor dining are	feet for a)	Northwest Bet	corner of the site, fronting on thania-Rural Hall Road	
Parking	Required	Pro	posed	Layout	
	45 spaces	45	spaces	Side and rear of the building	
<b>Building Height</b>	Maximum		Proposed		
	40 feet		One story		
Impervious	Maximum		Proposed		
Coverage	75 percent		64 percent		
UDO ClearCode Sections Relevant to Subject Request	• Section 4.6.7 Limited Business District				
Complies with Section 3.2.11	(A) Legacy 2030 policies:			Yes	
Section 3.2.11	(B) Environmental Ordinanc		N/A		
	(C) Subdivision Regulations		N/A		
Analysis of Site Plan Compliance with UDO ClearCode Requirements	The proposed site plan shows a 4,293-square foot restaurant with associated outdoor dining and parking areas. A stormwater management area is located in the northeastern corner of the site, and a dumpster is located in the southeastern corner of the site. In addition to the required Type II bufferyard, the proposed plan shows a six-foot privacy fence along the eastern property boundary to provide additional physical and visual separation from the adjacent RS9 property.				
C	ONFORMITY TO PLAN	S AND I	PLANNING	GISSUES	
<i>Legacy 2030</i> Growth Management Area	Growth Management Area				
Relevant Legacy 2030 Recommendation	<ul> <li>Promote quality desig surrounding developm</li> <li>Promote a pedestrian- redevelopment and red</li> </ul>	nent. friendly o	orientation f	for new development and nance of parking areas.	

3

Relevant Area Plan(s)	Rural Hall Area Plan Update (2016)
Area Plan Recommendation s	<ul> <li>The Proposed Land Use Map recommends Office/Low-Intensity         Commercial at this site, which is located within the US 52/Bethania-         Rural Hall Road Activity Center.</li> <li>The US 52/Bethania-Rural Hall Road Activity Center recommends:         <ul> <li>Locate new buildings closer to the street and orient parking to the rear or side of structures to improve the streetscape and deemphasize vehicles.</li> </ul> </li> </ul>
	<ul> <li>General area plan recommendations:</li> <li>Protect residential areas from inappropriate residential, commercial, institutional and industrial encroachment.</li> </ul>
	<ul> <li>Concentrate commercial services in designated areas and not allow them to take the form of strip development along major roads in the Planning Area.</li> <li>Facilitate walking, biking, use of public transportation, and rail, with new development and redevelopment in the Planning Area.</li> <li>Commercial areas should be compact with limited access directly onto</li> </ul>
GA: T	major thoroughfares.
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. The Town supports the proposed rezoning.
Rezoning Consideration	Have changing conditions substantially affected the area in the petition?
from Section 3.2.15 A 13	Yes, as Bethania-Rural Hall Road is currently being widened in association with the Northern Beltway.
	Is the requested action in conformance with Legacy 2030?
	Yes
Analysis of Conformity to Plans and Planning Issues	The subject request for LB-S zoning would permit the construction of a one-story restaurant (without drive-through service) on an undeveloped corner lot.
	The Rural Hall Area Plan identifies this site as being within the northern portion of the US 52/Bethania-Rural Hall Road Activity Center. The recommended land uses are Office/Low-Intensity Commercial. Site designs within the activity center are recommended to be pedestrian oriented, with buildings pulled up to the street and parking located to the side or rear. This request is consistent with both recommendations.
	The site is located in a transitional area between the heavy commercial
-1590 Staff Report	

areas to the south and the low-density residential areas to the north and east. Consequently, the petitioner has worked with staff on several site design details and conditions to achieve a context-sensitive land use transition. Specifically, in addition to the proposed building placement, the site would not include highly visible, head-in parking along the Bethania-Rural Hall Road frontage. The proposed building elevations (with outdoor dining area) are attractive and residential in scale. While the LB district permits freestanding signs that are considerably tall and large, the site will utilize only attached signage with no internal illumination. Finally, an opaque fence is proposed along the eastern property boundary abutting RS9 zoning, and the dumpster is proposed in the least visible portion of the site.

CONCLUSIONS TO ASSIST WITH RECOMMENDATION					
Positive Aspects of Proposal	Negative Aspects of Proposal				
The request is consistent with the Rural Hall					
Area Plan with regard to the proposed					
office/low-intensity commercial uses and					
pedestrian-oriented building placement.					
The site is located within an activity center.					
The site is adjacent to GB zoning and will have a					
connection to adjacent property to the south.	The request extends commercial zoning				
The Town of Rural Hall supports the request as	deeper into a single-family residential area.				
presented.	, , , , , , , , , , , , , , , , , , ,				
The request includes several site design					
characteristics intended to minimize off-site					
impacts to the surrounding residential					
neighborhood and add value to the streetscape in					
this area.					

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:

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

a. Proposed building plans shall be in substantial conformance with the approved elevations as verified by Planning staff.

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

- a. Developer shall install sidewalks (minimum five feet in width) along both street frontages.
- b. Developer shall install a six-foot privacy fence along the entire length of the eastern property boundary as shown on the site plan.
- c. Building and dumpster screening shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.

#### OTHER REQUIREMENTS:

a. No freestanding signage shall be permitted, and all attached signage shall be externally illuminated.

b. Developer shall install the full plantings of a 15-foot Type II bufferyard along the eastern property boundary. No planting reduction will be credited for the provision of a privacy fence (as shown on site plan).

### **STAFF RECOMMENDATION: Approval**

<u>NOTE</u>: These are **staff comments** only; the City-County Planning Board makes <u>final</u> recommendations on proposals, and <u>final action</u> is taken by the appropriate Elected Body, which may approve, deny, continue or request modification to any request. 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-1590 FEBRUARY 13, 2020

Desmond Corley presented the staff report.

Gary Roberts stated that the calls he has received from neighbors have been favorable, and that Rural Hall was in support of the proposed restaurant. Melynda Dunigan stated that she felt this type of use would be too intense for the area due to traffic issues. Gary shared comments from his conversations with WSDOT. Kirk Ericson discussed the area plan process and the proposed uses, as well as the reasons for which staff is supportive of the request.

#### **PUBLIC HEARING**

FOR: None

AGAINST: None

#### **WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is

consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

FOR: Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak,

Brenda Smith, Jack Steelman AGAINST: George Bryan

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Jason Grubbs

VOTE:

FOR: Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Brenda Smith, Jack

Steelman

AGAINST: Melynda Dunigan

EXCUSED: None

ABSTAINED: George Bryan

Aaron King

Director of Planning and Development Services

F-1590 Staff Report

7

February 2020

# USES ALLOWED IN THE EXISTING RS9 ZONING DISTRICT Forsyth County Jurisdiction

## 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 use-specific standards
in UDO ClearCode)

## 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-Site<sup>5</sup> Parking, Off-Site, for Multifamily or Institutional Uses

SUP not required if standards of Section 5.2.2A are met



Phone: 336-747-7065

### F-1590 Little Italy, Rural Hall (Special Use District Rezoning)



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

City of W-S Planning

Nikole Kennerly Kennerly Engineering & Design, Inc. 12133-F N NC Hwy 150 Winston-Salem, NC 27127

Project Name: F-1590 Little Italy, Rural Hall (Special Use District

Rezoning)

Jurisdiction: City of Winston-Salem

ProjectID: 346530

Wednesday, January 22, 2020

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 Thursday two weeks before (14 days prior to) the Planning Board meeting.

#### Open Issues: 16

**Erosion Control** 

#### 24. Erosion Control Plan Needed

Matthew Osborne 336-747-7453

1/9/20 8:08 AM 01.03) Rezoning-Special Use District - 2

City of Winston-Salem 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 matthewo@cityofws.org 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>

Inspections

27. Zoning

Jeff Hunter 336-727-2626

#### jeffph@cityofws.org

1/21/20 10:55 AM 01.03) Rezoning-Special Use District - 2

- City of Winston-Salem -A grading permit will be required.
  - -A Special Use District fee will be due with the approval of the grading permit.
  - -The materials used in the construction of the building will need to comply with Section 5.2.73 of the UDO "Building Materials."
  - -Exterior lighting of the site must comply with Section 6.6 of the UDO.
  - -Correct the lot number in the legend of the site plan.
  - -Show the dumpster screening and label the height and materials used that comply with UDO Section 6.2.2(E).
  - -Show typical parking space and drive aisle dimensions.
  - -Landscaping: Document on the landscaping (or site) plan the type of vegetation, height and spacing requirements for the 1)streetyard, 2) motor vehicle surface area trees and 3) bufferyard per UDO standards. There must be a large variety tree within 75' of each parking space. \*\*The streetyard adjacent to the parking lot is required, however, there appears to be a utility easement in the area. Will there be room to plant the streetyard? Also, medium variety trees may be utilized underneath the overhead utilities.
  - -Label the 10' x 70' site triangle at the entrance.
  - -Signage requires separate permits and must comply with either the LB zoning district standards or the Special Use conditions (if conditions are place on the site pertaining to any
  - -A cross access easement will be required if connecting to the parcel to the south.

[Ver. 4] [Edited By Jeff Hunter]

#### NCDOT

#### 28. NCDOT Comments

#### NCDOT Division 9

Victoria Kildea 336-747-7900

#### vrkildea@ncdot.gov

1/16/20 11:06 AM 01.03) Rezoning-

Special Use District - 2

- NCDOT Encroachment agreement needed for any utility ties in right of way
- Ensure conformity with NCDOT TIP project R-2247EC

#### Planning

#### 21. CAC/Greenway

#### City of Winston-Salem No comment.

Amy Crum 336-747-7051

#### amyc@cityofws.org

1/8/20 1:44 PM 01.03) Rezoning-

Special Use District - 2

#### 23. CPAD

Kirk Ericson 336-747-7045 kirke@cityofws.org

1/8/20 2:12 PM 01.03) Rezoning-Special Use District - 2

City of Winston-Salem This site is recommended for office/low-intensity commercial in the Rural Hall Plan Update. A restaurant without drive through would be considered a low-intensity commercial use according to the plan. The site is within the boundaries of the US 52/Bethania-Rural Hall Road Activity Center, which includes detailed site recommendations to:

- Use this site to create a transition to the nearby single-family neighborhoods.
- Locate buildings close to the street with parking to the side and rear of the building to deemphasize vehicles and improve the streetscape.

#### 26. Historic Resources

City of Winston-Salem No comments

Heather Bratland 336-727-8000

heatherb@cityofws.org

1/14/20 2:01 PM 01.03) Rezoning-

Special Use District - 2

#### 35. Rezoning

City of Winston-Salem
Desmond Corley
336-727-8000
desmondc@cityofws.org
1/21/20 1:05 PM
01.03) RezoningSpecial Use District - 2

- The Rural Hall Area Plan calls for this property to be developed with office/low-intensity commercial uses (https://www.cityofws.org/DocumentCenter/View/930/Rural-Hall-Proposed-Land-Use-Map—36-by-42-Inches-PDF). Some of the requested uses do not fall into this category or cannot be supported by staff: Car Wash, Banking and Financial Services, and Retail Store. While the use Restaurant (without drive-through service) is classified as high-intensity, staff believes that good site design can mitigate some of the concerns that normally arise from placing high-intensity uses at the edges of activity centers. [Section 5.1]
- Please make sure that submitted elevations are labeled correctly, and include elevations for each building facade. Based on the site plan, it appears that the submitted elevations have been mislabeled. You can use Appendix E (p. 58) of the Rural Hall Area Plan (https://nc-winstonsalem.civicplus.com/DocumentCenter/View/2349/Rural-Hall-Area-Plan-Update-PDF) for appropriate design guidelines.
- If Type III is the desired bufferyard type along the eastern property boundary, please make sure to label it with the appropriate width (20-foot min.); otherwise, Type II is the minimum bufferyard required, and the plan has the correct width labeled. Staff will suggest a condition indicating that the full bufferyard will be installed, with no credit given for the existing fence along the eastern property boundary. [Section 6.3]
- If possible, consider relocating the proposed dumpster along the southern
  portion of the parking lot, across from the drive aisle. This meets the minimum
  separation requirement from single-family residential zoning and still allows
  movement throughout the site for collection. Additionally, please include a detail
  (i.e., elevations) for the required dumpster enclosure.
- The site plan should include the required cross-access to the south, and a driveway should be constructed to that property boundary [Section 6.1.3 E 2]. The site plan should also include the required pedestrian connections to sidewalks along Bethania-Rural Hall Road and Angus Street [Section 6.1.3 A 5]. Staff recommends that the proposed parking spaces facing Bethania-Rural Hall road be removed.
- Please switch the line weights for the western property boundary so that the right-of-way belonging to NCDOT is easily distinguished from any proposed dedications or easements. Also, ensure that the required streetyard is not located within any easements for underground utilities (including electric, gas, and fiber) and that the plantings within that streetyard can be installed. Small- or medium-variety trees should be utilized where overhead utilities exist [Section 6.2.2 B 10 (Forsyth County)].
- Staff will suggest a condition limiting freestanding signage to the Bethania-Rural Hall Road frontage with a maximum height of 6 feet and a maximum copy area of 36 square feet. Staff will also suggest a condition prohibiting internal illumination of any signage (freestanding or attached) along Angus Street.

19-029 - Little Italy, Rural Hall - REZONING PLAN - RZ-1\_2020-01-07.pdf [15 redlines] (Fage 1)

#### 29. Text Box B

#### City of Winston-Salem FIX

Samuel Hunter

336-727-8000

#### samuelp@cityofws.org

1/16/20 11:09 AM

01.03) Rezoning-

Special Use District - 2

#### 30. Text Box B

#### City of Winston-Salem

Show proposed underground utility connections

[Ver. 2] [Edited By Bryan Wilson]

Bryan Wilson

336-747-7042

### bryandw@cityofws.org

1/16/20 11:17 AM

01.03) Rezoning-

Special Use District - 2

#### 31. Text Box B

### City of Winston-Salem Make aisle dimension legible

Bryan Wilson

336-747-7042

#### bryandw@cityofws.org

1/16/20 11:16 AM

01.03) Rezoning-

Special Use District - 2

#### 32. Text Box B

#### City of Winston-Salem Type II per UDO Clearcode

Samuel Hunter

336-727-8000

[Ver. 2] [Edited By Bryan Wilson]

#### samuelp@cityofws.org

1/22/20 10:14 AM

01.03) Rezoning-

Special Use District - 2

#### 33. Text Box B

#### City of Winston-Salem make font legible

Samuel Hunter

336-727-8000

#### samuelp@cityofws.org

1/21/20 9:02 AM

01.03) Rezoning-

Special Use District - 2

#### 34. Text Box B

#### City of Winston-Salem Continue sidewalk to PL

Samuel Hunter

336-727-8000

#### samuelp@cityofws.org

1/21/20 9:02 AM

01.03) Rezoning-

Special Use District - 2

#### Stormwater

#### 20. No Comment

Joe Fogarty 336-747-6961

City of Winston-Salem Not in City of Winston-Salem and therefore outside my jurisdiction for post construction Stormwater management review/permitting.

josephf@cityofws.org

1/8/20 1:21 PM 01.03) Rezoning-

Special Use District - 2

#### Utilities

#### 25. General Comments

Charles Jones 336-727-8000 charlesj@cityofws.org 1/14/20 8:12 AM

01.03) Rezoning-

City of Winston-Salem Any existing water and/or sewer connections will require evaluation for compliance with backflow preventer requirements, connection serviceability, and/or termination at the main. Any services that are not intended to be reused will be terminated at the main. New water/sewer connections will be off Angus street to avoid Bethania-Rural Hall Road. Be aware of the Utilities System Development Fees that will be charged for each new meter purchase. A backflow preventer will be required on all water connections. Special Use District - 2 Grease interceptor required and will be sized based off kitchen fixture schedule.

#### WSDOT

### 19-029 - Little Italy, Rural Hall - REZONING PLAN - RZ-1\_2020-01-07.pdf [15 redlines] (Page 1)

Contact Raymond Catron for sizing at 336-734-1332.

#### 22. Callout B

City of Winston-Salem Connect to sidewalk along Angus Steet

Jeffrey Fansler 336-727-8000

jeffreygf@cityofws.org

1/8/20 1:46 PM

01.03) Rezoning-

Special Use District - 2

#### 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 Arnold G. King 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 February 13, 2020 on the following rezoning and related matters:

- Zoning petition of Pasquale Looz from RS9 to LB-S (Restaurant (without drive-through service); Offices; Bed and Breakfast; Veterinary Services; and Recreational Facility, Public): property is located on the southeast corner of Bethania-Rural Hall Road and Angus Street; property consists of ± 0.96 acres and is PIN 6819-69-3743 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-1590)
- 2. Zoning petition of Stuart Wayne Parrish, George Winfield Parrish, and the Andrew Quentin Parrish Special Needs Trust from AG to RS40-S (Residential Building, Single Family): property is located on the west side of Coldwater Road, north of Reidsville Road; property consists of ± 66.39 acres and is PIN 6990-35-6657 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-1591).

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.

F1590 (S)		F1590 (N)		F1590 (N)	
LOOZ PASQUALE		995 BETHANIARURA	AL HALL LLC	BAIRD CLINTON R	
				BAIRD ELLEN B	
725 CROOKED RUN RE		PO BOX 1159			
RURAL HALL NC	27045	DEERFIELD IL	60015	719 HALLMARK DR	27045
		DECITI IEED IE	00013	RURAL HALL NC	27045
F1590 (N)		F1590 (N)		F1590 (N)	
BETHANIA & RH INVES	STMENTS LLC	BROOKS JOSEPH PAI	111	F1590 (N) BUTNER SHIRLEY STEW	/ADT
		BROOKS HEATHER B		BOTHER SHIRLEY STEW	VAKI
PO BOX 993		711 HALLMARK DR	INC VV LIX	BO BOY 1425	
CHINA GROVE NC	28023	RURAL HALL NC	27045	PO BOX 1125	
		NOTICE TIMEL NO	27043	RURAL HALL NC	27045
F1590 (N)		F1590 (N)		E1500 (N)	
CALVERY VANESSA		CARDWELL IVI A		F1590 (N)	
		CARDVELLIVIA		CASE MARY ANN H	
929 BETHANIA RURAL	HALL RD	726 HALLMARK DR		704 000 0000	
RURAL HALL NC	27045	RURAL HALL NC	27045	701 CROOKED RUN RD	
	27043	NORAL HALL INC	27045	RURAL HALL NC	27045
F1590 (N)		F1590 (N)			
COE KAYE G		(11)		F1590 (N)	
COLIMILA		COOPER VIRGINIA M		CRUISE NANCY	
615 CLEARBROOK DR		740 (1411) 440 (100			
RURAL HALL NC	27045	710 HALLMARK DR		684 ANGUS ST	
NORAL HALL NC	27045	RURAL HALL NC	27045	RURAL HALL NC	27045
F1590 (N)		E4500 (0.0)			
DENNISON LEONARD		F1590 (N)		F1590 (N)	
DEMNISON LEONARD		DEPARTMENT OF TRA	ANSPORTATION	DEZERN DAVID H	
707 CROOKED RUN RD				DEZERN KIMBERLY G	
RURAL HALL NC		1546 MAIL SERVICE C		913 BETHANIA RURAL F	HALL RD
RUKAL HALL NC	27045	RALEIGH NC	27611	RURAL HALL NC	27045
F1590 (N)					
1		F1590 (N)		F1590 (N)	
DUGGINS KATHRYN B		EDWIN E & JUDY O LI	UPO LIVING TRUST	FAY MARIANNE L	
CTC CLEARING OVER		LUPO EDWIN E			
676 CLEARBROOK DR		7295 JESSE BRIGGS R	D	PO BOX 1039	
RURAL HALL NC	27045	RURAL HALL NC	27045	RURAL HALL NC	27045
E4500 (51)					
F1590 (N)		F1590 (N)		F1590 (N)	
FELTS RICKY CARL		GOLDEN DANA L		HALL VANCE RAY	
FELTS CYNTHIA		MALLOY DEDRA		HALL SANDI STANLEY	
PO BOX 1125		1721 DOGWOOD ST		700 CROOKED RUN RD	
RURAL HALL NC	27045	GOLDSBORO NC	27534	RURAL HALL NC	27045
E4.E4.6					
F1590 (N)		F1590 (N)		F1590 (N)	
JOHNSON RICHARD K		K D PROPERTIES		KIGER CLARENCE R	
JOHNSON PATRICIA G					
678 ANGUS ST		PO BOX 547		PO BOX 81	
RURAL HALL NC	27045	KING NC 2702	21	RURAL HALL NC	27045
					27043
F1590 (N)		F1590 (N)		F1590 (N)	
LOOZ MARGHERITA		LOOZ PASQUALE		MESSICK J G & SONS INC	•
725 CROOKED RUN RD		725 CROOKED RUN RE	)	PO BOX 25067	
RURAL HALL NC	27045	RURAL HALL NC	27045	WINSTON-SALEM NC	27114
				The state of the s	-/114
F1590 (N)		F1590 (N)		F1590 (N)	
MOORE SYLVIA B		PARISH THOMAS AND	REW	SHELTON JERRY R	
CULLER ROBERT L				SHELTON SHIRLEY B	
937 BETHANIA RURAL H	ALL RD	706 CROOKED RUN RE		941 BETHANIA RURAL H.	ALL RD
RURAL HALL NC	27045	RURAL HALL NC	27045		27045
				NOTIFIC LINE	2/043

F1590 (N) SMITH JOANN J

672 ANGUS ST RURAL HALL NC

27045

F1590 (N)

SUNSHINE BOYS INVESTMENTS LLC

PO BOX 725

RURAL HALL NC

27045

27103

F1590 (N)

VILLAGE SQUARE/RURAL HALL LLC

300 S STRATFORD RD, STE C

WINSTON-SALEM NC

F1590 (N) YOUNG MICHAEL D

742 CROOKED RUN RD

**RURAL HALL NC** 

27045

F1590 (N) SPEAS GERALD W SPEAS SARAH M 690 ANGUS ST

RURAL HALL NC

27045

F1590 (N) TUCKER BILLY RAYVON TUCKER JEAN M

1090 STONEY RIDGE RD

WESTFIELD NC

27053

F1590 (N) WALL JACK DENNY

718 HALLMARK DR

RURAL HALL NC 27045

F1590 (N) STANLEY JASON STANLEY LYNN 727 HALLMARK DR

**RURAL HALL NC** 

27045

F1590 (N)

**VAUGHAN STUART BERNARD** 

712 CROOKED RUN RD

RURAL HALL NC

27045

F1590 (N) WILLIAMS NICHOLAS

1803 MCGUINN DR

HIGH POINT NC

27265



# Neighborhood Outreach Summary For F-1590 Little Italy, Rural Hall, PIN #:6819-69-3743

On January 29<sup>th</sup>, 2020, 30 letters were mailed to land owners within 500 feet of the above referenced site informing them of the proposed rezoning and asking them to contact Kennerly Engineering for information. An invitation to attend the Public Meeting on February 13<sup>th</sup> was extended for them to express any concerns or support for the project. The owner has also visited and discussed the project with numerous neighbors in person as well as the Local Government to inform and get feedback to determine support for the project prior to and during this rezoning submission. The result of these discussions has been positive with support from neighbors and Rural Hall local government.

Nikole Kennerly, PE President/Owner Kennerly Engineering & Design, Inc.



January 29, 2020

#### Dear Community Neighbor;

This is a public notice of re-zoning for a piece of property located at the intersection of Angus Street and Bethania Rural Hall Road in Forsyth County, Rural Hall, NC. This property is located on the southeast corner of the intersection. It is currently listed with a physical address of 949 Bethania Rural Hall Road and consists of parcel # 6819-69-3743 with an acreage of 0.96 acres, zoned as RS9 – Residential.

This notice is to inform the public that the above referenced property is being considered for rezoning from its current RS-9 Residential to LB-S, Limited Business. The proposed development will consist of a 4,293 sq. ft. Restaurant facility for Little Italy Restaurant with associated parking.

This proposed rezoning will be discussed with the City of Winston Salem during the Planning Board public meeting held Thursday, February 13<sup>th</sup> at 4:30 pm. For all that are opposed to this rezoning plan, you are being asked to attend this meeting to state your reasons of concern directly to the planning department at that time. For all that are in support of this rezoning and would like to support the owner in this rezoning effort, your attendance at this meeting would be appreciated. If you would like to view the planned development and rezoning being submitted, please contact Kennerly Engineering & Design, Inc. at 1 (336) 775-2118 or you can email Nikole Kennerly to request a pdf at: <a href="mailto:nikole.kennerly@kennerlyengineering.com">nikole.kennerly@kennerlyengineering.com</a>.

	ce	

Kennerly Engineering & Design, Inc.

Phone: 336,775,2118 Fax: 336,764,0797 www.kennerlyengineering.com

## (For publication in the WS Journal Legal Section on March 6 and March 13, 2020)

#### NOTICE OF PUBLIC HEARING

NOTICE OF HEARING BEFORE THE FORSYTH COUNTY BOARD OF COMMISSIONERS on the requested zoning matter...NOTICE is hereby given that the Board of Commissioners will hold a public hearing in the Commissioners' Meeting Room on the fifth floor of the Forsyth County Government Center, 201 N. Chestnut Street, Winston-Salem, North Carolina at 2:00 p.m. on Thursday, March 19, 2020 on the following:

- 1. Zoning petition of Pasquale Looz from RS9 to LB-S (Restaurant without drive-through service; Offices; Bed and Breakfast; Veterinary Services; and Recreational Facility, Public): property is located on the southeast corner of Bethania-Rural Hall Road and Angus Street; property consists of ± 0.96 acres and is PIN 6819-69-3743 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-1590)
- Zoning petition of Stuart Wayne Parrish, George Winfield Parrish, and the Andrew Quentin Parrish Special Needs Trust from AG to RS40-S (Residential Building, Single Family): property is located on the west side of Coldwater Road, north of Reidsville Road; property consists of  $\pm$  66.39 acres and is PIN 6990-35-6657 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-1591)

All persons interested in the proposed amendments are invited by the Board of Commissioners of Forsyth County to attend this public hearing and present their views.

FORSYTH COUNTY BOARD OF COMMISSIONERS Ashleigh M. Sloop, Clerk to the Board