

Motion and
Statement of Consistency with Comprehensive Plan
F-1548

I move that the following statement be adopted in support of a **Motion to Approve** Zoning Map Amendment F-1548:

The proposed special use zoning map amendment with its added conditions is consistent with the recommendations of the Southeast Forsyth County Area Plan and the Legacy Comprehensive Plan and is reasonable and in the public interest because:

1. the zoning request would allow for the additional use, Asphalt and Concrete Plant on the site, which is already zoned GI-S;
2. the proposed asphalt and concrete plant will be surrounded by the existing mining and quarry operations and no additional impervious surface area coverage is proposed;
3. the proposed additional use, Asphalt and Concrete Plant, is compatible with the uses permitted on adjacent GI-S zoned property; and
4. the proposed asphalt and concrete plant would be located more than 1,000 feet from the nearest residential structure.

Based on the foregoing Statement, I move adoption of F-1548.

Second:

Vote:

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: November 10, 2014 **AGENDA ITEM NUMBER:** _____

SUBJECT:-

- A. Public Hearing on Zoning Petition of Martin Marietta Materials, Inc. from GI-S (Mining, Quarry or Extractive Industry) to GI-S (Mining, Quarry or Extractive Industry; and Asphalt and Concrete Plant): Property is Located on the West Side of High Point Road, South of U.S. 311 (Zoning Docket F-1548)
- B. Ordinance Amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, North Carolina
- C. Approval of Special Use District Permit
- D. Approval of Site Plan

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

After consideration, the Planning Board recommended approval of the rezoning petition.

ATTACHMENTS:- X YES ___ NO

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

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Martin Marietta Materials, Inc.,
Docket F-1548

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 GI-S (Mining, Quarry or Extractive Industry) to GI-S (Mining, Quarry or Extractive Industry; and Asphalt and Concrete Plant) the zoning classification of the following described property:

PIN #6873-23-7853

Section 2. This Ordinance is adopted after approval of the site plan entitled Hwy 311 & High Point Road Quarry, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 20____ to Martin Marietta Materials, Inc.

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 Hwy 311 & High Point Road Quarry. 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 Martin Marietta Materials, Inc. (Zoning Docket F-1548). 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 GI-S (Mining, Quarry or Extractive Industry; and Asphalt and Concrete Plant), 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 GI-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 ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall obtain a driveway permit from NCDOT; additional improvements (including the installation of a right turn lane) may be required prior to issuance of driveway permit.
 - b. Developer shall obtain a Watershed Permit from the Inspections Division.
- **PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:**
 - a. All required improvements of the NCDOT driveway permit shall be completed.



October 22, 2014

Martin Marietta Materials, Inc.
c/o Steve Bruce, Regional VP, Carolina West Division
P. O. Box 8040
Fort Wayne, IN 46898

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-1548

Dear Mr. Bruce:

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
- Michael Fox, P. O. Box 2888, Greensboro, NC 27402
- Beth Tucker, 7255 Watkins Ford Road, Kernersville, NC 27284
- Paxton Badham, 2700 Wycliff Road, Raleigh, NC 27607
- Ivan Clayton, 204 Base Leg Road, Greensboro, NC 27409
- Steve Webb, 4400 Tynning Street, High Point, NC 27265



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 Leigh, South Ward; Jeff MacIntosh, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

Forsyth County Commissioners: Richard V. Linville, Chairman; Gloria D. Whisenant, Vice Chair; Mark Baker; Walter Marshall; David R. Plyler; Bill Whitehead; Everette Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; Allan Younger, Vice-Chair; Melynda Dunigan; Tommy Hicks; Clarence R. Lamb, Jr.; Darryl Little; Barry A. Lyons; Paul W. Mullican; Brenda J. Smith

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	F-1548
Staff	Aaron King
Petitioner(s)	Martin Marietta Materials, Inc.
Owner(s)	Same
Subject Property	PIN# 6873-23-7853
Address	4572 High Point Road
Type of Request	Special use rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from GI-S (General Industrial District – Special use zoning) to GI-S (General Industrial District – Special use zoning). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Mining, Quarry or extractive Industry; and Asphalt and Concrete Plant <p>NOTE: General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.</p>
Neighborhood Contact/Meeting	Per an email from the petitioner: “Both Steve Bruce, Vice President of Martin Marietta and Ivan Clayton, the Vice President of the company that will be leasing the land for the asphalt plant, plan to personally meet with the three neighboring property owners to discuss the project and address any concerns.”
Zoning District Purpose Statement	The GI District is primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities. The district is established for the purpose of designating appropriate locations and establishing development regulations for uses which may have significant environmental impacts or which require special measures to ensure compatibility with adjoining properties. The district is established to provide locations for major developments in GMAs 1, 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 GI-S.</p>
GENERAL SITE INFORMATION	
Location	West side of High Point Road, south of U.S. 311
Jurisdiction	Forsyth County
Site Acreage	± 20.6 acres
Current Land Use	Quarry

Surrounding Property Zoning and Use	Direction	Zoning District		Use
	North	GI-S		Quarry
	East	AG		Undeveloped land
	South West	GI-S		Quarry
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 Asphalt and Concrete plant is compatible with the surrounding area. The location of the proposed asphalt plant is located well within the interior of the existing quarry and should not have any negative impacts on the residential properties located across High Point Road.			
Physical Characteristics	The majority of the site has been excavated as part of the existing quarry operation.			
Proximity to Water and Sewer	City-County Utilities does not provide public water or sewer to the subject property.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The site is located within the Abbott's Creek WS-III watershed. The site plan does not propose any increase in impervious coverage.			
Analysis of General Site Information	The subject property is a portion of the Salem Stone quarry operated by Martin Marietta Materials. The majority of this site is currently used for quarry operations.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
High Point Road	Major Thoroughfare	517'	3,000	15,800
Proposed Access Point(s)	The site plan proposes the continued use of the existing access point onto High Point Road. No new access points are proposed.			
Planned Road Improvements	The <i>Comprehensive Transportation Plan</i> identifies the future cross section for this portion of High Point Road as three lanes with wide outside lanes, curb & gutter, and sidewalks.			
Trip Generation - Existing/Proposed	No trip generation numbers available for quarries or asphalt plants.			
Sidewalks	None existing, none proposed.			
Traffic Impact Study (TIS)	Not required			
Analysis of Site Access and Transportation Information	The proposed site plan depicts the continued usage of the existing driveway onto High Point Road. Staff would anticipate some level of increased traffic generated by the proposed asphalt plant; however, it is unclear as to what level of increase can be expected. It should be noted that High Point Road is currently well below its Level of Service D capacity of 15,800, so any potential increase should be reasonably accommodated.			

CONFORMITY TO PLANS AND PLANNING ISSUES

Legacy GMA	GMA 4 (Future Growth Area)
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Encourage reuse of vacant and underutilized commercial and industrial sites.
Relevant Area Plan(s)	<i>Southeast Forsyth County Area Plan (2013)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> The site is designated for industrial use.
Site Located Along Growth Corridor?	No
Site Located within Activity Center?	No
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(R)(4) - Is the requested action in conformance with Legacy?
	Yes
Analysis of Conformity to Plans and Planning Issues	The subject request is consistent with the industrial land use called for in the <i>Southeast Forsyth County Area Plan</i> . The site is currently zoned GI-S for a quarry and would still retain the GI-S zoning designation if the use of asphalt plant is added.

RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1217	GI-S to GI-S	Approved 1/12/98	Includes subject property	238	Approval	Approval

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

Building Square Footage	Square Footage		Placement on Site	
	2,416sf		Approximate middle	
Parking	Required	Proposed		Layout
	4 spaces	4 spaces		90° spaces
Building Height	Maximum		Proposed	
	Unlimited		25'	
Impervious Coverage	Maximum		Proposed	
	24% due to watershed restrictions		31.4% currently existing for this parcel; no new impervious is proposed with this request	
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Section 2-1.4 (C) GI District 			

Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy policies:</i>	Yes
	(B) <i>Environmental Ord.</i>	Yes
	(C) <i>Subdivision Regulations</i>	NA
Analysis of Site Plan Compliance with UDO Requirements	The site plan submitted with this request proposes to locate an asphalt plant on a portion of the existing impervious area located within the quarry. The only other improvement associated with this request will be the installation of a right turn lane into the site. The proposed site plan meets UDO requirements.	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
The site is already zoned GI-S.		The request will likely generate more traffic on High Point Road.
The request is consistent with the recommendations of the <i>Southeast Forsyth County Area Plan</i> .		
No additional impervious area is proposed.		
The proposed asphalt plant will be surrounded by the existing quarry and its GI-S zoning.		
The proposed asphalt plant would be located over 1,000 feet from the nearest residential structure.		
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.		
<ul style="list-style-type: none"> • <u>PRIOR TO ISSUANCE OF GRADING PERMITS:</u> <ul style="list-style-type: none"> a. Developer shall obtain a driveway permit from NCDOT; additional improvements (including the installation of a right turn lane) may be required prior to issuance of driveway permit. b. Developer shall obtain a Watershed Permit from the Inspections Division. • <u>PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:</u> <ul style="list-style-type: none"> a. All required improvements of the NCDOT driveway permit shall be completed. 		

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-1548
OCTOBER 9, 2014**

PUBLIC HEARING

FOR:

Beth Tucker, 7255 Watkins Ford Road, Kernersville, NC 27284

- Martin Marietta & Sharp Brothers Construction informed us of their plans and answered all our questions to our satisfaction.
- They were very gracious about this.
- We are not opposed.

AGAINST: None

WORK SESSION

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

In response to a question from Melynda Dunigan about whether a neighborhood meeting was held, Michael Fox, attorney representing Martin Marietta and Sharp Brothers, explained that a community meeting was held Tuesday night. About 15-20 neighbors came. We had really good feedback. People left saying all their questions were answered and they were good with this.

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.

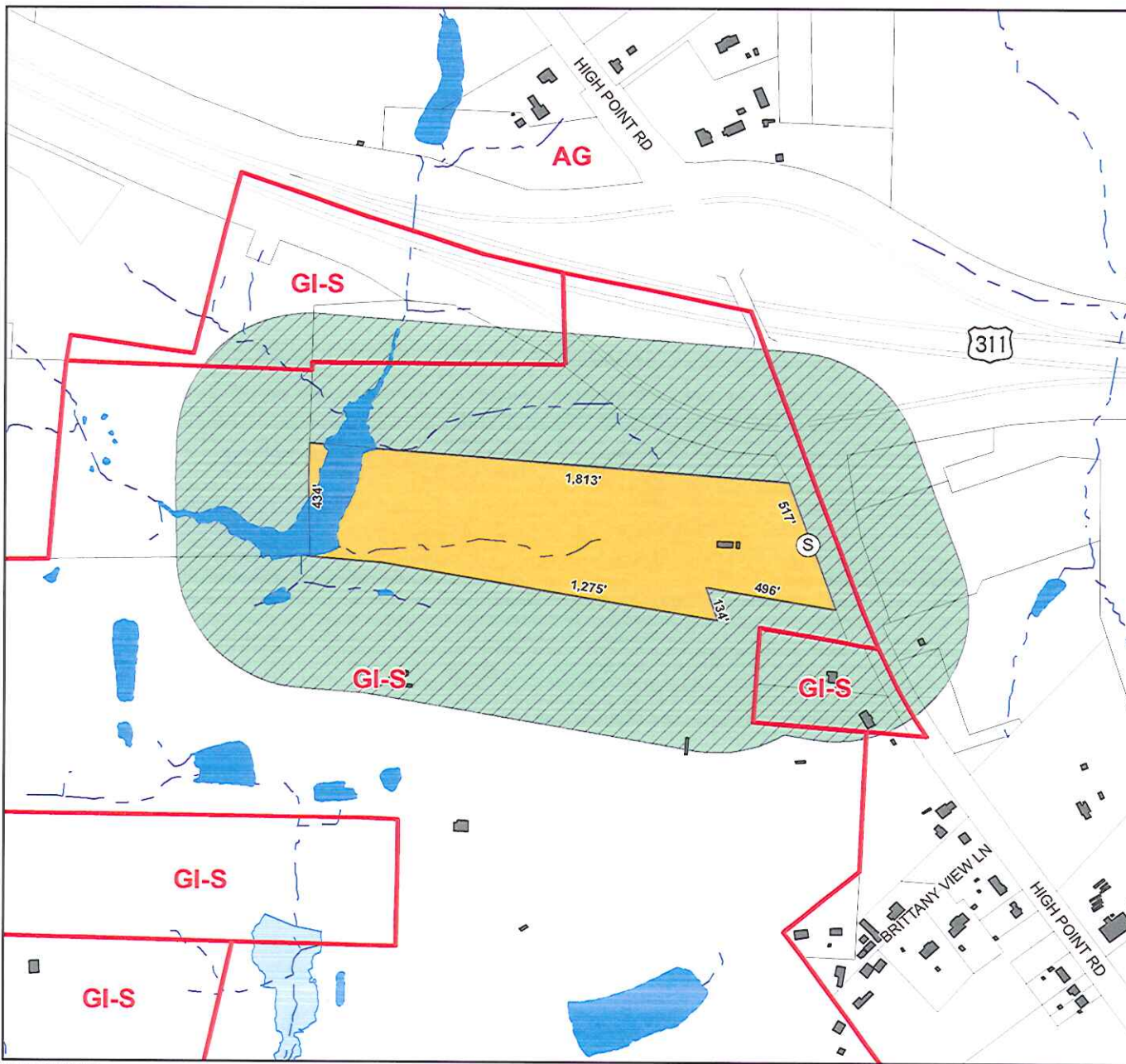
SECOND: Darryl Little

VOTE:

FOR: Unanimous
AGAINST: None
EXCUSED: None

According to information furnished by the Office of the Tax Assessor on October 22, 2014, the subject property was in the name of Martin Marietta Materials, Inc.

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





DOCKET #: F1548

PROPOSED ZONING:
GI-S

EXISTING ZONING:
GI-S

PETITIONER:
Martin Marietta Materials Inc.
for property owned by Same

 Property included
in zoning request

 500' mail notification
radius. Property not
in zoning request

SCALE: 1" represents 600'

STAFF: King

GMA: 4

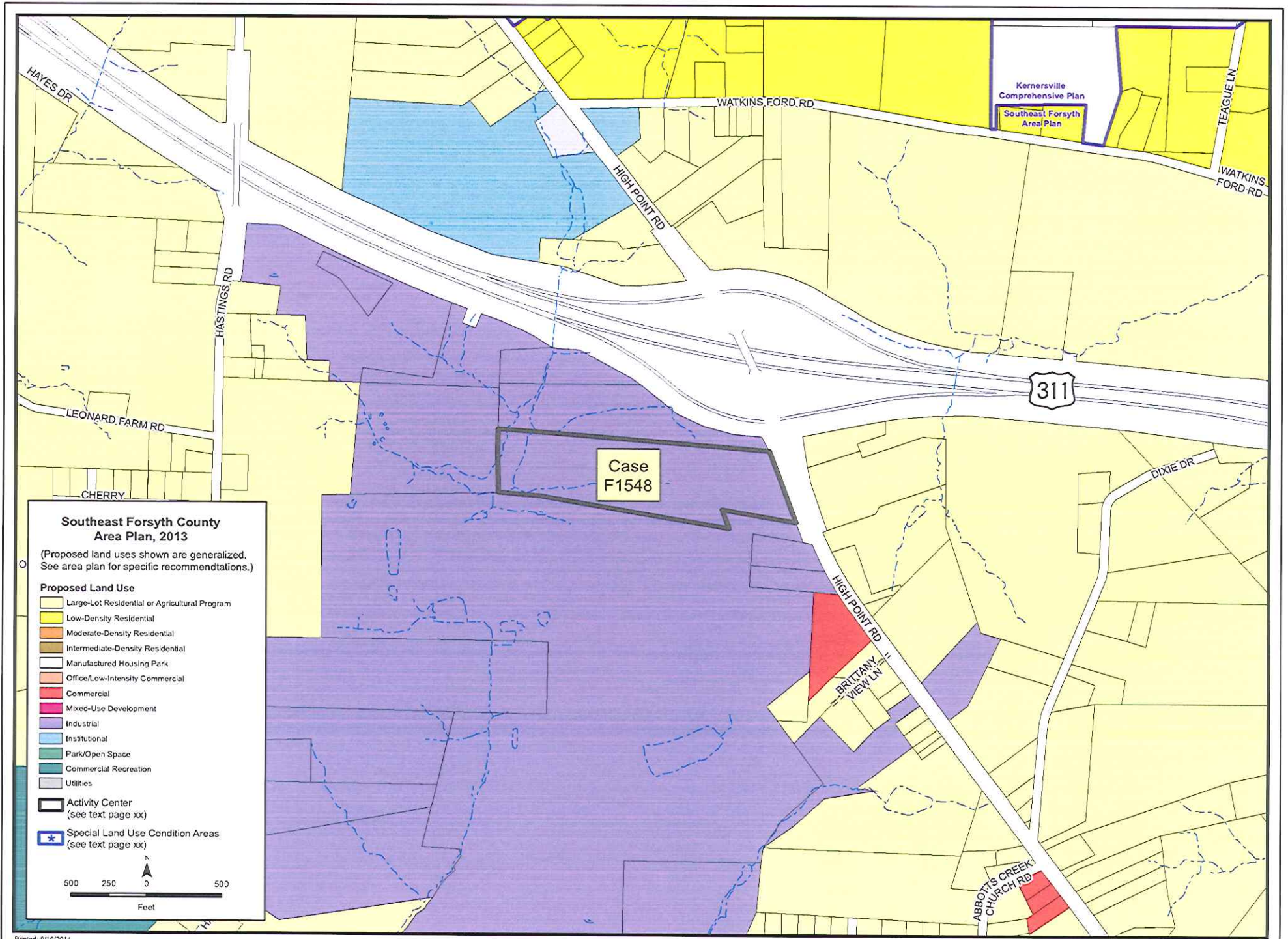
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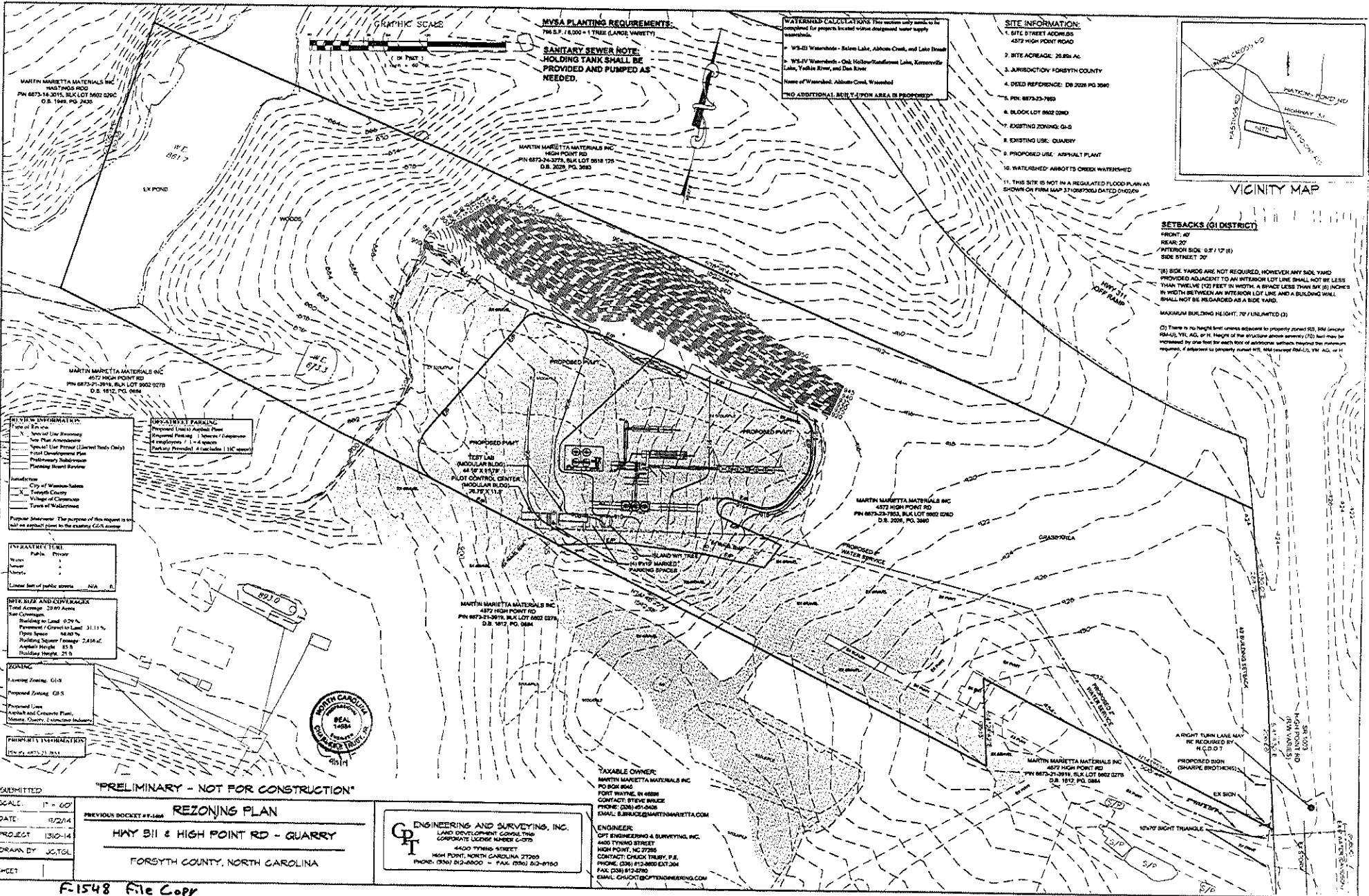
**NEAREST
BLDG:** 230' south

MAP(S): 6873.03



Printed: 9/11/2014





MVSA PLANTING REQUIREMENTS:
 1. S.P. 14.000 - 1 TREE (LARGE VARIETY)

SANITARY SEWER NOTE:
 HOLDING TANK SHALL BE PROVIDED AND PUMPED AS NEEDED.

WATERSHED CALCULATIONS: The owner only needs to be prepared for projects located within designated water supply watershed.
 - W-III Watersheds - Salem Lake, Abbeys Creek, and Lake Trout
 - W-IV Watersheds - Old Hollow/Sandstone Lake, Kennesaw Lake, Yoder River, and Dux River
 Name of Watershed: Abbeys Creek Watershed
 (NO ADDITIONAL BUILT UPON AREA IS PROPOSED)

- SITE INFORMATION:**
1. SITE STREET ADDRESS: 4372 HIGH POINT ROAD
 2. SITE ACREAGE: 20.89 AC
 3. JURISDICTION: FORSYTH COUNTY
 4. DEED REFERENCE: DE 2028 PG 3985
 5. PIN: 887323-7983
 6. BLOCK LOT 89A2 0280
 7. EXISTING ZONING: G1-S
 8. EXISTING USE: QUARRY
 9. PROPOSED USE: ASPHALT PLANT
 10. WATERSHED: ABBOTTS CREEK WATERSHED
 11. THIS SITE IS NOT IN A REGULATED FLOOD PLAN AS SHOWN ON FIRM MAP 37108F050J DATED 01/02/09

SETBACKS (G1 DISTRICT):
 FRONT: 40'
 REAR: 20'
 INTERIOR SIDE: 0.5' (1/2")
 SIDE STREET: 20'

(S) SIDE YARDS ARE NOT REQUIRED, HOWEVER ANY SIDE YARD PROVIDED ADJACENT TO AN INTERIOR LOT LINE SHALL NOT BE LESS THAN TWELVE (12) FEET IN WIDTH. A BRIDGE LESS THAN SIX (6) INCHES IN WIDTH BETWEEN AN INTERIOR LOT LINE AND A BUILDING WALL SHALL NOT BE REGARDED AS A SIDE YARD.

MAXIMUM BUILDING HEIGHT: 70' (UNLIMITED (2))

(2) There is no height limit unless adjacent to property zoned R3, RM (except RM-U), YR, AG, or H. Height of the structure above ground (FG) shall not be increased by one foot for each foot of additional setbacks beyond the minimum required, if adjacent to property zoned R3, RM (except RM-U), YR, AG, or H.

NOTICE INFORMATION:
 Final Plan
 Final Development Plan
 Preliminary Subdivision
 Preliminary Subdivision
 Planning Board Review

APPROVALS:
 City of Winston-Salem
 Forsyth County
 Village of Clemmons
 Town of Wakeforest

Public Hearings: The purpose of this request is to hold an optional public hearing. (CCS) (owner)

INFRASTRUCTURE:
 Water: 1
 Sewer: 1
 Electric: 1

Linear feet of public streets: N/A

SITE SIZE AND COVERAGE:
 Total Acreage: 20.89 Acres
 Total Coverage: 31.11%
 Building to Land: 0.29%
 Paved Space: 84.80%
 Rolling Square Footage: 2,818,412 sq. ft.
 Building Height: 21 ft.

ZONING:
 Existing Zoning: G1-S
 Proposed Zoning: G1-S
 Proposed Use: Asphalt and Concrete Plant, Storage, County, Executive Industry

PROPERTY INFORMATION:
 PIN: 887323-7983

PREVIOUS SOCIETY #1466

REZONING PLAN
 HWY 311 & HIGH POINT RD - QUARRY
 FORSYTH COUNTY, NORTH CAROLINA

ENGINEERING AND SURVEYING, INC.
 LAND DEVELOPMENT CONSULTING
 CORPORATE OFFICE NUMBER 0-278
 4400 TRYON STREET
 HIGH POINT, NORTH CAROLINA 27605
 PHONE: (336) 812-8000 - FAX: (336) 812-8100

TAXABLE OWNER:
 MARTIN MARICETTA MATERIALS INC
 PO BOX 8040
 FORT WYTHE, NC 28828
 CONTACT: STEVE WILKE
 PHONE: (336) 491-0408
 EMAIL: S.WILKE@MARTINMARICETTA.COM

ENGINEER:
 CPT ENGINEERING & SURVEYING, INC.
 4400 TRYON STREET
 HIGH POINT, NC 27605
 CONTACT: CROCKY TREIBY, P.E.
 PHONE: (336) 812-8000 EXT 304
 FAX: (336) 812-8100
 EMAIL: CHAUCOT@CPTENGINEERING.COM

F-1548 File Copy

INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

Project Case Number: F-1548

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-1548 **PROJECT TITLE:** Martin Marietta Materials, Inc. (Hwy 311 & High Point Road Quarry)

DATE: September 24, 2014

PROJECT DESCRIPTION: West side of High Point Road, south of U.S. 311

NCDOT- Phone # - 336.747.7900 Email: warcher@ncdot.gov

Right turn lane will be needed

WSDOT- Phone # - 336.747.6872 Email: conniej@cityofws.org

WSDOT recommends a SB right turn lane on High Point Road to accommodate the additional truck traffic utilizing the asphalt plant.

City Engineer- Phone # - 336.747.6846 Email: albertcg@cityofws.org

1. No comments

Inspections (Zoning)- Phone # - 336.747.7455 Email: donnagb@cityofws.org

-Parking spaces must be within 50' of a tree; add another tree or relocate the proposed tree to have a tree within 50' of each parking space

-Ground signs must be spaced 125' apart

Erosion Control - Phone # - 336.747.7453 Email: matthewo@cityofws.org

Land disturbing activities are under the purview of NC DENR, as they are the direct result of mining operations, which are regulated through that agency. Any alterations to the existing Mining Permit must be approved by the permitting authority prior to start of work.

A watershed permit shall be required for this project based on Chapter C, Article 4-2.2(C)(3) of the UDO. This states that Change of existing use of land is grounds for requiring a Watershed Protection Occupancy Permit. A site plan noting the existing and new impervious surface calculations, the new structures being constructed and a completed application form must be submitted and approved prior to start of work.

INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

Project Case Number: F-1548

<p>Stormwater Division- Phone # - 336.747.6961 Email: josephf@cityofws.org</p> <p>No Comments</p>
<p>Fire (County)- Phone # - 336.703-2550 Email: smithbj@forsyth.cc</p> <p>A Forsyth County Fire Department Tank application for the fuel tanks will need to fill out before they are installed. The permit can be found at http://www.forsyth.cc/EmergencyServices/Fire/documents/tanks.pdf.</p>
<p>Utilities- Phone # - 336.747.7309 Email: jackf@cityofws.org</p> <p>No Comments.</p>
<p>Sanitation- Phone # - 336.748.3080 Email: randallb@cityofws.org</p> <p>No Comments</p>
<p>Planning- Phone # - 336.747.7043/747.7068 Email: aaronk@cityofws.org</p> <p>No Comments</p>
<p>Forsyth County Health Department - 336.703-3110 Email: rakescd@forsyth.cc</p>
<p>Vegetation Management -336.748.3020 Email: keithf@cityofws.org</p>
<p>Street Names/Addresses -336.747.7048 Email: benfs@cityofws.org</p> <p>No addressing or street naming concerns.</p>