

Motion and  
Statement of Consistency with Comprehensive Plan  
F-1565

I move that the following statement be adopted in support of a **Motion to Approve** Zoning Map Amendment F-1565:

The proposed general use zoning map amendment, as petitioned by Alfred Wai Kong Ma, to rezone a 0.14 acre piece of property from RS-20 (Residential, Single Family District – 20,000 square foot minimum lot size) to NB (Neighborhood Business), is consistent with the recommendations of the Legacy Comprehensive Plan and the adopted Southeast Forsyth County Area Plan Update, and is reasonable and in the public interest because:

1. The uses permitted under the proposed NB zoning classification are compatible with the uses permitted on the surrounding HB and NB-S zoned properties; and
2. The zoning request is consistent with the purpose statement of the requested NB zoning district; and
3. The zoning request encourages redevelopment and reuse of existing sites and buildings that are compatible and complementary to the surrounding area.

Based on the foregoing Statement, I move adoption of F-1565.

Second:

Vote:



COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Alfred Wai Kong Ma, Docket F-1565

AN ORDINANCE AMENDING  
THE FORSYTH COUNTY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF THE  
COUNTY OF FORSYTH,  
NORTH CAROLINA

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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 RS20 to NB the zoning classification of the following described property:

PIN# 6882-67-6864

Section 2. This ordinance shall become effective upon adoption.



March 22, 2017

Alfred Wai Kong Ma  
1821-A Johnson Street  
High Point, NC 27262

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](http://www.cityofws.org/planning)

Re: Zoning Petition F-1565

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,

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



Call 311 or 336-727-8000  
[citylink@cityofws.org](mailto: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; John C. Larson, 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. Pyle, Chairman; Don Martin, Vice Chair; Ted Kaplan; Richard V. Linville; Walter Marshall; Gloria D. Whisenant; 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  
STAFF REPORT**

<b>PETITION INFORMATION</b>			
<b>Docket #</b>	F-1565		
<b>Staff</b>	Gary Roberts, Jr. AICP		
<b>Petitioner(s)</b>	Alfred Wai Kong Ma		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	PIN# 6882-67-6864		
<b>Address</b>	2945 Highway 66 South		
<b>Type of Request</b>	General use rezoning from RS20 to NB		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> RS20 (Residential, Single Family – 20,000 sf minimum lot size) <b>to</b> NB (Neighborhood Business).</p> <p><b>NOTE:</b> General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.</p>		
<b>Neighborhood Contact/Meeting</b>	The application does not indicate if a neighborhood meeting has been held.		
<b>Zoning District Purpose Statement</b>	<p>The NB District is primarily intended to accommodate low intensity office, retail, and personal service uses close to or within residential areas. The district is established to provide convenient locations for businesses which serve the everyday household needs of nearby residents without disrupting the character of the neighborhood. The district should demonstrate pedestrian oriented design through elements such as on-street parking, façade articulation, storefront display windows, awnings and building entrances facing the street. The district is not intended to accommodate retail uses which attract customers from outside the neighborhood or which primarily cater to motorists. This district is intended for application in GMAs 2, 3, 4 and 5.</p>		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<p><b>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Yes, the subject property is a modest sized lot which is located between NB-S and HB zoned property, along a major thoroughfare and it is within GMA 4 (Future Growth Area).</p>		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	East side of NC 66 South, north of High Point Road		
<b>Jurisdiction</b>	Forsyth County		
<b>Site Acreage</b>	± .14 acre		
<b>Current Land Use</b>	A one story, single family home is currently located on the site.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	NB-S	Hair salon
	East	HB	Tucker's Grill

	South West	HB HB	Tucker's Grill Auto sales
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>		
	Yes, the uses permitted within the proposed NB district are compatible with the uses permitted on the adjacent NB-S and HB zoned properties.		
<b>Physical Characteristics</b>	The site has a gentle slope downward to the east.		
<b>Proximity to Water and Sewer</b>	There is no public sewer service available to the site. Public water service is provided by the City of High Point.		
<b>Stormwater/ Drainage</b>	No known issues.		
<b>Watershed and Overlay Districts</b>	The site is located within the Oak Hollow WS III water supply watershed. New built-upon area (impervious coverage) is limited to 24% of the lot size.		
<b>Analysis of General Site Information</b>	The subject property is of a relatively modest size and it currently has no access to public sewer service. The site is also located within the Oak Hollow watershed which includes limits on the amount of new impervious coverage.		
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>			
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>Average Daily Trip Count</b>
	<b>Capacity at Level of Service D</b>		
NC 66 South	Major Thoroughfare	80'	NA
<b>Proposed Access Point(s)</b>	Because this is a general use request, the exact location of access points is unknown. The site is currently accessed from NC 66 South.		
<b>Trip Generation - Existing/Proposed</b>	<u>Existing Zoning: RS20</u> 1 unit x 9.57 (SFR Trip Rate) = 10 Trips per Day  <u>Proposed Zoning: NB</u> Staff is unable to provide an accurate trip generation for the proposed general use zoning because there is no site plan.		
<b>Sidewalks</b>	There are no sidewalks located in the general area.		
<b>Analysis of Site Access and Transportation Information</b>	Staff does not foresee any transportation related issues associated with this request.		
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>			
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 4 – Future Growth Area		

<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area.</li> <li>Support the improvement and redevelopment of older commercial sites.</li> </ul>					
<b>Relevant Area Plan(s)</b>	<i>Southeast Forsyth County Area Plan Update (2013)</i>					
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>Provide localized commercial services to neighborhoods in the Activity Center.</li> <li>This activity center is not recommended for the expansion of uses with outdoor displays such as recreational vehicle sales, automobile sales, and repair and mini self-storage units such as those currently located outside this activity center to the west.</li> <li>These more intense retail uses are generally not recommended for expansion beyond their present configuration.</li> </ul>					
<b>Site Located Along Growth Corridor?</b>	The site is not located along a growth corridor.					
<b>Site Located within Activity Center?</b>	The site is located within the Horneytown Road / High Point Road Activity Center.					
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(3) - Have changing conditions substantially affected the area in the petition?</b>					
	No					
	<b>(R)(4) - Is the requested action in conformance with Legacy 2030?</b>					
	Yes					
<b>Analysis of Conformity to Plans and Planning Issues</b>	The subject request is to rezone a relatively small parcel from RS20 to NB. The site is adjacent to NB-S zoned property to the north and HB zoned property to the east, south, and west. The site is located within the Horneytown Road / High Point Road Activity Center where commercial land use is recommended as per the <i>Southeast Forsyth County Area Plan Update</i> . Staff sees the request as being consistent with the commercial land use recommendation of said area plan, compatible with the surrounding land uses, and consistent with the purpose statement of the proposed NB district. Staff recommends approval.					
<b>RELEVANT ZONING HISTORIES</b>						
<b>Case</b>	<b>Request</b>	<b>Decision &amp; Date</b>	<b>Direction from Site</b>	<b>Acreage</b>	<b>Recommendation</b>	
					<b>Staff</b>	<b>CCPB</b>
F-1466	RS20 to NB-S	Approved 8-14-06	Directly north	.87	Approval	Approval
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>						
<b>Positive Aspects of Proposal</b>			<b>Negative Aspects of Proposal</b>			
The request is consistent with the commercial land use recommendation of the <i>Southeast Forsyth County Area Plan Update</i> .			Redevelopment of the site using the existing structure may pose some code compliance challenges in regard to the NB district's requirement for parking to be located to the side			

The site is surrounded by HB and NB-S zoned properties.	or rear of the principal building.
The request is consistent with the proposed NB district purpose statement.	

**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.**



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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR F-1565  
MARCH 9, 2017**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe moved approval of the zoning petition.

SECOND: Paul Mullican

VOTE:

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

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Ma Alfred Wai Kong as of March 22, 2017.

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




DOCKET #: F1565

PROPOSED ZONING:  
NB

EXISTING ZONING:  
RS20

PETITIONER:  
Alfred Wai Kong Ma

 Property included in zoning request.

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

SCALE: 1" represents 200'

STAFF: Roberts

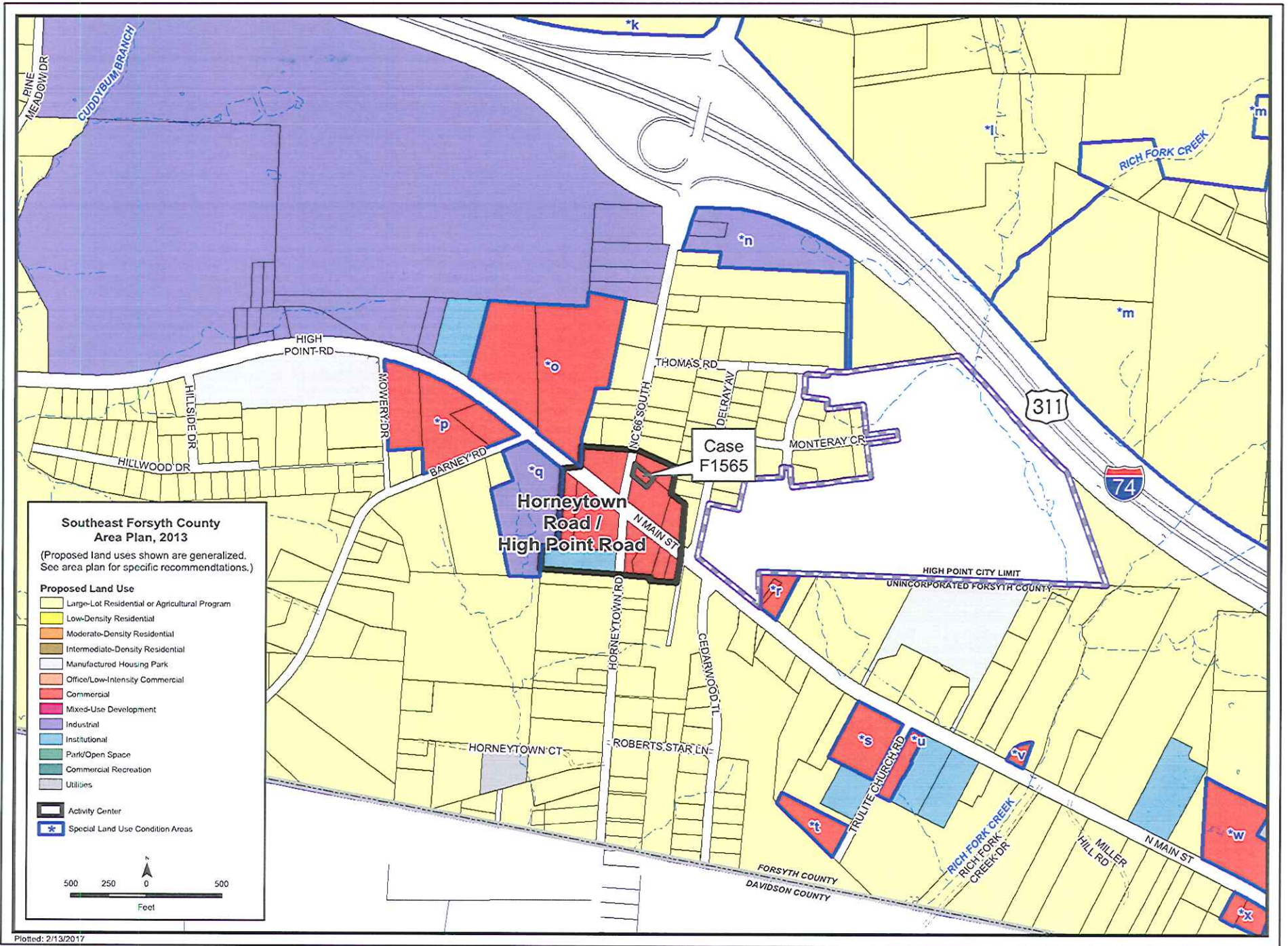
GMA: 4

ACRES: 0.14

NEAREST BLDG: 0' south

MAP(S): 6882.02





**F-1565 ATTACHMENT A**  
**EXISTING RS20 USES ALLOWED**  
**Forsyth County Jurisdiction Only**

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

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

**USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)**

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

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

Bed and Breakfast  
Borrow Site  
Child Day Care, Large Home  
Dirt Storage  
Fishing, Fee Charged  
Habilitation Facility A  
Kennel, Outdoor  
Landfill, Land Clearing/Inert Debris, 2 acres or less  
Manufactured Home, Class A  
Manufactured Home, Class B  
Nursing Care Institution  
Park and Shuttle Lot  
Riding Stable  
Shooting Range, Outdoor  
Transmission Tower

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

Landfill, Land Clearing/Inert Debris, greater than 2 acres  
Access Easement, Private Off-Site  
Parking, Off-Site, for Multifamily or Institutional Uses

F-1565 ATTACHMENT B  
**PROPOSED NB USES ALLOWED**  
Forsyth County Jurisdiction Only

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

Adult Day Care Home  
Agricultural Production, Crops  
Agricultural Production, Livestock  
Arts and Crafts Studio  
Child Care, Drop-In  
Child Day Care, Small Home  
Church or Religious Institution, Neighborhood  
Combined Use  
Convenience Store  
Food or Drug Store  
Furniture and Home Furnishings Store  
Government Offices, Neighborhood Organization, or Post Office  
Library, Public  
Motor Vehicle, Repair and Maintenance  
Museum or Art Gallery  
Offices  
Police or Fire Station  
Recreation Facility, Public  
Recreation Services, Indoor  
Residential Building, Duplex  
Residential Building, Single Family  
Residential Building, Twin Home  
Restaurant (without drive-through service)  
Retail Store  
Services A  
Veterinary Services

**USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)**

Child Day Care, Large Home  
Limited Campus Uses  
Residential Building, Townhouse  
Residential Building, Multifamily  
Utilities

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

Banking and Financial Services  
Bed and Breakfast  
Child Care, Sick Children  
Child Day Care Center

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

Access Easement, Private Off-Site

**F-1565 ATTACHMENT C**  
**USES ALLOWED UNDER PROPOSED “SERVICES, A”**

**SERVICES, A.** An establishment primarily engaged in providing a service(s) to business and individuals. All merchandise and rental equipment is stored inside enclosed buildings. Services A includes the following list of uses (including SIC groups and all subcategories not elsewhere listed):

- 7212 Garment Pressing and Agents for Laundries and Drycleaners
- 7215 Coin-Operated Laundries and Cleaning
- 7216 Drycleaning Plants, Except Rug
- 7217 Carpet and Upholstery Cleaning
- 722 Photographic Studios, Portrait
- 723 Beauty Shops
- 724 Barber Shops
- 725 Shoe Repair and Shoeshine Parlors
- 729 Miscellaneous Personal Services
- 733 Mailing, Reproduction, Commercial Art and Photography
- 735 Equipment Rental and Leasing (only with inside storage of equipment)
- 737 Computer Programming, Data Processing and other Computer Related Services (Except Computer Programming, 7371; Prepackaged Software, 7372; and, Computer System Design, 7373)
- 738 Miscellaneous Business Services
- 762 Electrical Repair Shops
- 763 Watch, Clock, and Jewelry Repair
- 764 Reupholstery and Furniture Repair
- 7699 Uses from SIC 7699 primarily engaged in providing repair and other services to business and individuals, that by the nature of their operation have little impact on adjoining property due to noise, odor, vibration, and/or air or water pollution. All repair items and supplies are stored in enclosed buildings. These uses include repair of small or precision equipment, such as medical, dental laboratory or drafting equipment, and the repair of personal use property such as cameras, musical instruments, and bicycles, and other services, including locksmiths and custom picture framing.

(I)  
RE: F-1565

Attention: Gary Roberts

Writer lives on  
Singlewide

DIN 6882-685104

I received your letter  
today about the zoning request  
I do not drive & cannot  
attend the meeting  
However I would like to  
know about this etc. up  
the road certain men were  
forced to sell their property  
When these people sold  
their property, supposedly it  
was for business purposes  
The one home that have  
been empty for awhile is being  
worked on & I was told  
that a single man bought it  
You years in this neighborhood  
an old wealthy rich man wanted  
to buy all the property he  
owned in this neighborhood etc.

(1)

(H)

It was told that he intended  
to do anything to get what he  
wanted etc. Several years ago  
petitions were made up to  
keep his storage business out of  
our neighborhood.

There were several meetings  
on this & he came in  
here anyway etc.

Lots of people were harassed &  
they were scared into selling  
their properties & it was  
the rich guy that bought  
their properties etc.

I sold him the back part  
of my property & he was  
planning to be dishonest but  
I stayed in behind his lawyer etc.

I've been harassed here also  
& refused to sell. It's not  
right for rich people to come in  
& take our homes away from  
us etc.

(2)



(11)

~ I asked the rich guy  
~ Why? ~ he wanted to own  
~ this whole neighborhood ~ ~?  
~ His reply ~ He wanted to leave  
~ it to his only son ~ ~  
~ His only son spent some time  
~ in prison for dope ~  
~ I kept getting threats to  
~ sell my place ~ which I don't  
~ want to sell ~ etc. ~  
~ I've lived here in this  
~ neighborhood ~ all ~ my life ~  
~ This rich man is in his  
~ middle 40's ~ How can anyone  
~ have such a love for money? ~ etc. ~  
~ You rich people that force  
~ people to sell ~ to get richer  
~ etc. ~ This is not right ~ etc. ~  
~ I hope that ~ "God" will  
~ stop you rich people from taking  
~ our homes away from us ~ so  
~ that you can get richer ~ etc. ~  
~ (3) ~

RECEIVED  
MAR 03 2017

(IV) (White Mt)



~ Lots of lies were made exp  
~ on me ~ but I ignored it ~  
~ & ~ try not to bother anyone, etc ~  
~ "Thank you very much" in  
~ for reading my letter ~  
~ "So greatly appreciated" ~

~ "Sincerely" ~

~ "Nancy Hall" ~

~ P.S. ~ "I hope + pray that ~  
~ "God" will stop you ~  
~ from + ... in ~  
~ property etc. ~



~ "Blessed Be!" ~