

December 16, 2009

Chris Karahalios
900 Partridge Lane
Winston-Salem, NC 27106

RE: ZONING TEXT AMENDMENT UDO-210

Dear Mr. Karahalios:

The attached report of the Planning Board to the Forsyth County Board of Commissioners and City of Winston-Salem City Council is sent to you at the request of the Commissioners and Council Members.

When the text amendment is scheduled for public hearing, you will be notified by the Clerk to the County Commissioners and the City Secretary, of the date on which the Commissioners and City Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

Attachment

pc: County Manager's Office
City Secretary

ACTION REQUEST FORM

DATE: December 16, 2009
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Text Amendment proposed by Chris Karahalios

SUMMARY OF INFORMATION:

Zoning Text Amendment proposed by Chris Karahalios to allow the use Car Wash in the PB zoning district.

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: WESLEY CURTIS, ARNOLD KING, ARTHUR KING,
CLARENCE LAMBE, LYNNE MITCHELL, PAUL
MULLICAN, BRENDA SMITH
AGAINST: CAROL EICKMEYER
SITE PLAN ACTION: NOT REQUIRED

STAFF REPORT

DOCKET # UDO-210

STAFF: [Aaron King](#)

REQUEST

UDO text amendment proposed by Chris Karahalios to allow the use Car Wash in the PB zoning district.

BACKGROUND

Currently, the UDO does not allow car washes in the Pedestrian Business (PB) zoning district. The PB district seeks to facilitate a walkable, pedestrian-friendly style of development with land uses that are not auto-dependent. When the UDO conversion took place in 1995, part of the rationale for not allowing car washes in the PB zoning district was due to their auto-dependent nature.

ANALYSIS

The subject request seeks to allow auto detailing in the PB district with a limitation of no more than two bays. The definition of auto detailing is included under the current definition of car wash in the UDO. This request would allow car washes in the PB district; however, it would be restricted to auto detailing only with a maximum of two bays. This text amendment would not open the door for intense automated or self-service car washes in the PB district.

Staff believes that auto detailing is more of a service use than a typical car wash. While auto detailing involves vehicles, the use itself is much less intensive than auto-dependent uses such as drive through restaurants and banks with drive through windows. Staff believes the proposed text amendment would be in keeping with the intent of the PB district.

RECOMMENDATION

APPROVAL

Aaron King presented the staff report.

PUBLIC HEARING

FOR:

Chris Karahalios, 900 Partridge Lane, Winston-Salem, NC 27106

- I own a piece of property I'd like to use for this use.
- There is plenty of room inside the bays to store extra cars.
- I'm glad to answer any questions.

AGAINST: None

WORK SESSION

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

1. Carol Eickmeyer: I'm concerned that we are affecting all the PB in the City for one particular location. It doesn't seem logical to me to allow an auto-generating business in the PB District. It makes me uncomfortable to think we're going to be encouraging the storage of a large number of vehicles in a pedestrian district.
2. Staff explained that water runoff has to be tied into the closed system. In addition, this use caters to one car at a time so it doesn't generate a large number of automobiles. With this text amendment all car detailing would be required to be inside with the exception of hand-drying a vehicle.
3. Clarence Lambe: I think this is a really minute impact on the neighborhood - four or five cars being parked on the lot.
4. Wesley Curtis: The factor for me is that you can only have two bays and you have to do it inside. The parking situation will not require a huge number of spaces due to the nature of the business.
5. Paul Mullican: This is more of a service. I think the words Car Wash are misleading. I don't think parking cars will be a problem.
6. Carol Eickmeyer: I'm going to be voting against this. I question having this kind of parking situation in PB areas which we are mostly walkable areas. We've specifically tried to have less parking to encourage walking.
7. Arnold King: I would question how many two-bay garages are sitting in PB districts around the city where this would be applicable. I'm not concerned about a proliferation of these situations.
8. Lynne Mitchell: Last time I got tires I left my vehicle there and walked home because it was so close and convenient. That was part of the decision to have it done there. If parking was a problem, I wouldn't go to that business. I'd find some place else to go.
9. Carol Eickmeyer: I think there are unforeseen consequences.

MOTION: Paul Mullican moved approval of the zoning text amendment.

SECOND: Clarence Lambe

VOTE:

FOR: Wesley Curtis, Arnold King, Arthur King, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: Carol Eickmeyer

EXCUSED: None

Written Comments Submitted by Planning Board Members:

Carol Eickmeyer: Against - to change our PB district to allow car washes - even though it is for car detailing. I think this open up a car storage issue - waiting for the work to be done - waiting for detailing - just because something can work in a location and could work doesn't mean it should be done.

A. Paul Norby, FAICP
Director of Planning

UDO-210
AN ORDINANCE PROPOSED BY CHRIS KARAHALIOUS
AMENDING CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES*
TO ALLOW THE USE CAR WASH IN THE PB DISTRICT

Be it ordained by the Board of Commissioners of Forsyth County, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter B, Article III of the UDO is amended as follows:

Chapter B - Zoning Ordinance
Article II – Zoning Districts, Official Zoning Maps and Uses

2-4 PERMITTED USES

2-4.1 TABLE B.2.6

Table B.2.6 displays the principal uses allowed in each zoning district and references use conditions. Table B.2.6 should be read in conjunction with the definitions of principal uses and other terms in Section A.2. Land, buildings, and structures shall only be used in accordance with the districts shown on the *Official Zoning Maps*, and subject to all requirements and conditions specified in this Ordinance.

Table B.2.6 is amended in accordance with the following revisions:

Add a “Z” in the PB column for the use Car Wash

2-5 USE CONDITIONS

2-5.12 CAR WASH

The use Car Wash shall be subject to the following restrictions in the PB district:

(A) Maximum of two (2) bays,

(B) No automated washing or drying equipment shall be permitted, and

(C) All activities other than hand drying of vehicles shall be conducted inside the building.

Section 2. This ordinance shall become effective upon adoption.