DOCKET #: W3045

PROPOSED ZONING:
HB-S

EXISTING ZONING:
HB-S

PETITIONER:
Pfafftown Center Inc., Grandview Investments Inc., and Grandview Inc.

SCALE: 1" represents 300'
STAFF: Moore
GMA: 3
ACRES: 1.78
NEAREST BLDG: 1' west
MAP(S): 594874
August 26, 2009

Grandview Investments Inc, Grandview Inc,
and Pfafftown Center Inc
 c/o Oscar Thomas Fowler, III
 Drawer 129
 Pfafftown, NC  27040

RE:  ZONING MAP AMENDMENT W-3045

Dear Mr. Fowler:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

pc:  City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
ACTION REQUEST FORM

DATE: August 26, 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 map amendment of Grandview Investments Inc, Grandview Inc, & Pfafftown Center Inc

SUMMARY OF INFORMATION:

Zoning map amendment of Grandview Investments Inc, Grandview Inc, & Pfafftown Center Inc from HB-S to HB-S [Building Contractor, General; Building Materials Supply; Car Wash; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); Services, Personal; Services, Business A; Furniture & Home Furnishings Store; General Merchandise Store; Hardware Store; Non-Store Retailer; Wholesale Trade A; Offices, Miscellaneous; Professional Office; Church or Religious Institution, Neighborhood]: property is located on the north side of Yadkinville Road, east of Transou Road (Zoning Docket W-3045).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO
CITY ORDINANCE - SPECIAL USE

Zoning Petition of Grandview Investments Inc, Grandview Inc, & Pfafftown Center Inc, Docket W-3045

AN ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM, N.C.

_________________________________

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from HB-S to HB-S [Building Contractor, General; Building Materials Supply; Car Wash; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); Services, Personal; Services, Business A; Furniture & Home Furnishings Store; General Merchandise Store; Hardware Store; Non-Store Retailer; Wholesale Trade A; Offices, Miscellaneous; Professional Office; Church or Religious Institution, Neighborhood] the zoning classification of the following described property:

BEGINNING at the right-of-way of Yadkinville Road and the southwest corner of Tax Lot 138A Block 4633 and thence along the right-of-way of Yadkinville Road and Tax Lots 217 and 216 Block 4633 the next three calls S 80° 40' 50" W 48.83' to a ½" EIP; Thence S 80° 04' 20" W 100.47' to a point; Thence S 80° 04' 20" W 47.64' to a point located at the southeast corner of Tax Lot 61A Block 4633; Thence adjoining Tax Lots 61A and 49W Block 4633 N 04° 10' 50" W 301.85' to a point; Thence adjoining Tax Lot 49Z Block 4633 the next two calls N 89° 33' 05" E 20.48' to a point; Thence N 00° 26' 55" W 191.21' to a point; Thence adjoining Tax Lot 401C Block 4633 the next two calls N 85° 07' 15" E 14.11' to an EIP; Thence N 85° 46' 22" E 99.93' to a point; Thence adjoining Tax Lot 138B Block 4633 the next two calls S 04° 13' 40" E 239.93' to a ¾" EIR; Thence N 86° 05' 20" E 50.06' to a ¼" EIR; Thence adjoining Tax Lot 138A Block 4633 S 03° 53' 20" E 232.21' to a 5/8" EIR and the point and place of beginning.

Section 2. This Ordinance is adopted after approval of the site plan entitled Pfafftown Center and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20___ to Grandview Investments Inc, Grandview Inc, & Pfafftown Center Inc.
Section 3. The City Council 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 Pfafftown Center. 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.
CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Grandview Investments Inc, Grandview Inc, & Pfafftown Center Inc, (Zoning Docket W-3045). 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 [Building Contractor, General; Building Materials Supply; Car Wash; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); Services, Personal; Services, Business A; Furniture & Home Furnishings Store; General Merchandise Store; Hardware Store; Non-Store Retailer; Wholesale Trade A; Offices, Miscellaneous; Professional Office; Church or Religious Institution, Neighborhood], approved by the Winston-Salem City Council the _____ day of _________________, 20____" and signed, provided the property is developed in accordance with requirements of the HB-S zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO ISSUANCE OF ANY PERMITS:**
  a. Developer shall obtain a driveway permit from NCDOT. Required improvements include but are not limited to:
     - Closing of 1 of 4 driveways on Yadkinville Road.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All required improvements of NCDOT driveway permits shall be completed.
  b. No new freestanding signs shall be permitted.
  c. Developer shall either install Type I bufferyard between the existing car wash and the adjacent LB zoned property or obtain a Variance from the Zoning Board of Adjustment.
**PETITION INFORMATION**

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3045</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>David Moore, GISP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Grandview Investments Inc.; Grandview Inc.; and Pfafftown Center Inc.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #'s 5897-87-5435, 5897-87-5609 and a portion of PIN# 5897-87-2792</td>
</tr>
<tr>
<td>Address</td>
<td>4659 Yadkinville Rd</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special use rezoning from HB-S to HB-S</td>
</tr>
</tbody>
</table>
| Proposal      | The petitioner is requesting to amend the Official Zoning Maps for the subject property **from** HB-S (Highway Business District) [Building Contractor, General; Building Materials Supply; Car Wash; Retail Store, Specialty or Miscellaneous; Restaurant, without drive-through service; Services, Personal; Services, Business A; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Non-Store Retailer; and Wholesale Trade A] **to** HB-S. The petitioner is requesting to add the following uses to the currently approved list:  
  • Offices, Miscellaneous; Professional Office; Church or Religious Institution, Neighborhood. |
| Zoning District Purpose Statement | The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. However, the district is not intended to encourage or accommodate strip commercial development. Developments in this district generally have substantial front setbacks. This district is intended for application in Growth Management Areas 2, 3, and 4. |
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S) | **(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?** The request is consistent with the HB purpose statement in that it has good road access being located along a major thoroughfare. |

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>North side of Yadkinville Road, east of Transou Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Northwest</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 1.78 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Car wash and retail establishments including Building Materials Supply.</td>
</tr>
</tbody>
</table>
### Surrounded Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>HB</td>
<td>Transmission tower</td>
</tr>
<tr>
<td>East</td>
<td>LB</td>
<td>Shopping center and restaurant</td>
</tr>
<tr>
<td>South</td>
<td>LB-S</td>
<td>Offices</td>
</tr>
<tr>
<td>West</td>
<td>HB-S</td>
<td>Shopping center</td>
</tr>
</tbody>
</table>

### Applicable Rezoning Consideration

(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes, surrounding uses are commercial.

### Physical Characteristics

The site is developed and has a gentle slope downward to the southeast.

### Proximity to Water and Sewer

Public water and sewer are available to the site.

### Stormwater/Drainage

No known issues.

### Watershed and Overlay Districts

The site is not within a water supply watershed.

### Analysis of General Site Information

The site appears to possess no development constraints and is suitable for continued use under the HB-S district.

### Site Access and Transportation Information

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yadkinville Road</td>
<td>Major Thoroughfare</td>
<td>197’</td>
<td>11,000</td>
<td>11,100</td>
</tr>
</tbody>
</table>

### Proposed Access Point(s)

The site plan proposes the continued use of the existing driveway onto Yadkinville Road.

### Planned Road Improvements

The Thoroughfare Plan recommends Yadkinville Road be improved to a three-lane section with widened outside lanes, curb and gutter and sidewalks.

### Trip Generation - Existing/Proposed

The subject request proposes no additional building square footage and there is no appreciable difference between the existing and proposed trip generation numbers.

### Sidewalks

There are no sidewalks located in the general area.

### Transit

Not available

### Connectivity

Parking and access easements to the adjacent HB-S zoned site will be required.

### Analysis of Site Access and Transportation Information

Access to the site is adequate.
## CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy GMA**
Growth Management Area 3, Suburban Neighborhoods

**Relevant Legacy Recommendations**
- Legacy calls for commercial development to be focused at compact activity nodes. These developments should include some supporting residential uses and be designed to accommodate the pedestrian as well as the automobile.

**Relevant Area Plan(s)**
The subject property is not within the boundaries of an area plan or development guide.

**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)**
(S)(3) - Have changing conditions substantially affected the area in the petition?
No
(S)(4) - Is the requested action in conformance with Legacy?
Yes

**Analysis of Conformity to Plans and Planning Issues**
The request does not propose any expansion to the existing commercial buildings. The newly proposed uses of: Offices, Miscellaneous; Professional Office; Church or Religious Institution, and Neighborhood are compatible with the surrounding development pattern.

### RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
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</thead>
<tbody>
<tr>
<td>W-3013</td>
<td>HB-S to HB-S</td>
<td>Approved 12-11-08</td>
<td>Current site</td>
<td>1.78</td>
<td>Approval Approval</td>
</tr>
<tr>
<td>F-1360</td>
<td>HB-S to HB-S</td>
<td>Approved 3-11-02</td>
<td>Current site</td>
<td>1.78</td>
<td>Approval Approval</td>
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</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>9,629 sf</td>
<td>Front and central portion</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>26 spaces</td>
<td>40 spaces</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>60’</td>
<td>One story</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>85%</td>
<td>65.9%</td>
<td></td>
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</tbody>
</table>

**UDO Sections Relevant to Subject Request**
- Chapter B, Article II, Section 2-1.3 (I) Highway Business District

**Complies with Chapter B, Article VII, Section 7-5.3**
(A) Legacy policies: Yes
(B) Environmental Ord. NA
(C) Subdivision Regulations NA

**Analysis of Site Plan Compliance with UDO Requirements**
No changes to the existing site plan are proposed, with the exception of adding the three new uses mentioned above.
CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The request will provide additional uses to an HB-S zoned site.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with Legacy.</td>
<td></td>
</tr>
<tr>
<td>No negative transportation impacts are anticipated.</td>
<td></td>
</tr>
<tr>
<td>Provides additional flexibility for the existing commercial establishment.</td>
<td></td>
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</tbody>
</table>

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO ISSUANCE OF ANY PERMITS:**
  a. Developer shall obtain a driveway permit from NCDOT. Required improvements include but are not limited to:
     - Closing of 1 of 4 driveways on Yadkinville Road.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. All required improvements of NCDOT driveway permits shall be completed.
  b. No new freestanding signs shall be permitted.
  c. Developer shall either install Type I bufferyard between the existing car wash and the adjacent LB zoned property or obtain a Variance from the Zoning Board of Adjustment.

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.**

PUBLIC HEARING

FOR: None

AGAINST: None
WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Lynne Mitchell
VOTE:
  FOR: Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Darryl Little, Lynne Mitchell, Paul Mullican, Brenda Smith
  AGAINST: None
  EXCUSED: None

A. Paul Norby, FAICP
Director of Planning