



DOCKET #: W3013

PROPOSED ZONING:
HB-S

EXISTING ZONING:
HB-S

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

SCALE: 1" represents 300'

STAFF: Roberts

GMA: 3

ACRES: 1.78

NEAREST BLDG: 1' west

MAP(S): 594874, 594878

F

December 19, 2008

Grandview Inc., et al.
c/o Oscar Thomas Fowler, III
Drawer 129
Pfafftown, NC 27040

RE: ZONING MAP AMENDMENT W-3013

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: December 19, 2008
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 Pfafftown Center, Inc; Grandview Investments, Inc; and Grandview Inc.

SUMMARY OF INFORMATION:

Zoning map amendment of Pfafftown Center, Inc; Grandview Investments, Inc; and Grandview Inc. from HB-S [Building Contractor, General; Building Materials Supply; Car Wash; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); and Shooting Range, Indoor] 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 and Home Furnishings Store; General Merchandise Store; Hardware Store; Non-Store Retailer; and Wholesale Trade A]: property is located on the north side of Yadkinville Road, east of Transou Road (Zoning Docket W-3013).

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 Pfafftown Center, Inc;
Grandview Investments, Inc; and Grandview Inc.,
Docket W-3013

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 [Building Contractor, General; Building Materials Supply; Car Wash; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); and Shooting Range, Indoor] 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 and Home Furnishings Store; General Merchandise Store; Hardware Store; Non-Store Retailer; and Wholesale Trade A] 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 1/2" 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 3/4" EIR; Thence N 86° 05' 20" E 50.06' to a 3/4" 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 Pfafftown Center, Inc; Grandview Investments, Inc; and Grandview 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 Pfafftown Center, Inc; Grandview Investments, Inc; and Grandview Inc., (Zoning Docket W-3013). 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 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 and Home Furnishings Store; General Merchandise Store; Hardware Store; Non-Store Retailer; and Wholesale Trade A], 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.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3013
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Pfafftown Center, Inc; Grandview Investments, Inc; and Grandview Inc.
Owner(s)	Same
Subject Property	PIN#’s 5897-87-5435, 5897-87-5609 and a portion of PIN# 5897-87-2792
Type of Request	Special use rezoning from HB-S to HB-S
Proposal	<p>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); and Shooting Range, Indoor] to HB-S.</p> <p>The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • 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
Zoning District Purpose Statement	<p>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.</p>
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	<p>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>The request is consistent with the HB purpose statement in that it has good road access being located along a major thoroughfare.</p>
GENERAL SITE INFORMATION	
Location	North side of Yadkinville Road, east of Transou Road
Jurisdiction	City of Winston-Salem
Ward(s)	Northwest
Site Acreage	Approximately ± 1.78 acres
Current Land Use	Car wash and retail establishments including Building Materials Supply.

Surrounding Property Zoning and Use	Direction	Zoning District		Use
	North	HB		Transmission tower
	East	LB		Shopping center and restaurant
	South	LB-S		Offices
	West	HB-S		Shopping center
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Yes			
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 district.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Yadkinville Road	Major Thoroughfare	197'	11,000	11,100
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.			

Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Driveway permit from NCDOT 					
CONFORMITY TO PLANS AND PLANNING ISSUES						
Legacy GMA	Growth Management Area 3, Suburban Neighborhoods					
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • <i>Legacy</i> 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 <i>Legacy</i>?					
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: Services, Personal; Services, Business A; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Non-Store Retailer; and Wholesale Trade A are compatible with the surrounding development pattern.					
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Signage condition 					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1360	HB-S to HB-S	Approved 3-11-02	Current site	1.78	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage			Placement on Site		
	9,629 sf			Front and central portion		
Parking	Required			Proposed		
	38 spaces			41 spaces		
Building Height	Maximum			Proposed		
	60'			One story		
Impervious Coverage	Maximum			Proposed		
	85%			65.9%		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> • 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	The revised site plan complies with the requirements of the UDO.	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
The request will provide additional uses to an HB-S zoned site.		
The request is consistent with <i>Legacy</i> .		
No negative transportation impacts.		
Provides additional flexibility for the existing commercial establishment.		
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.		
<u>PRIOR TO ISSUANCE OF ANY PERMITS:</u>		
a. Developer shall obtain a driveway permit from NCDOT. Required improvements include but are not limited to: <ul style="list-style-type: none"> • Closing of 1 of 4 driveways on Yadkinville Road. 		
<u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u>		
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: Clarence Lambe moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions including condition "c" under Prior to the Issuance of Occupancy Permits which reads "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."

SECOND: Paul Mullican

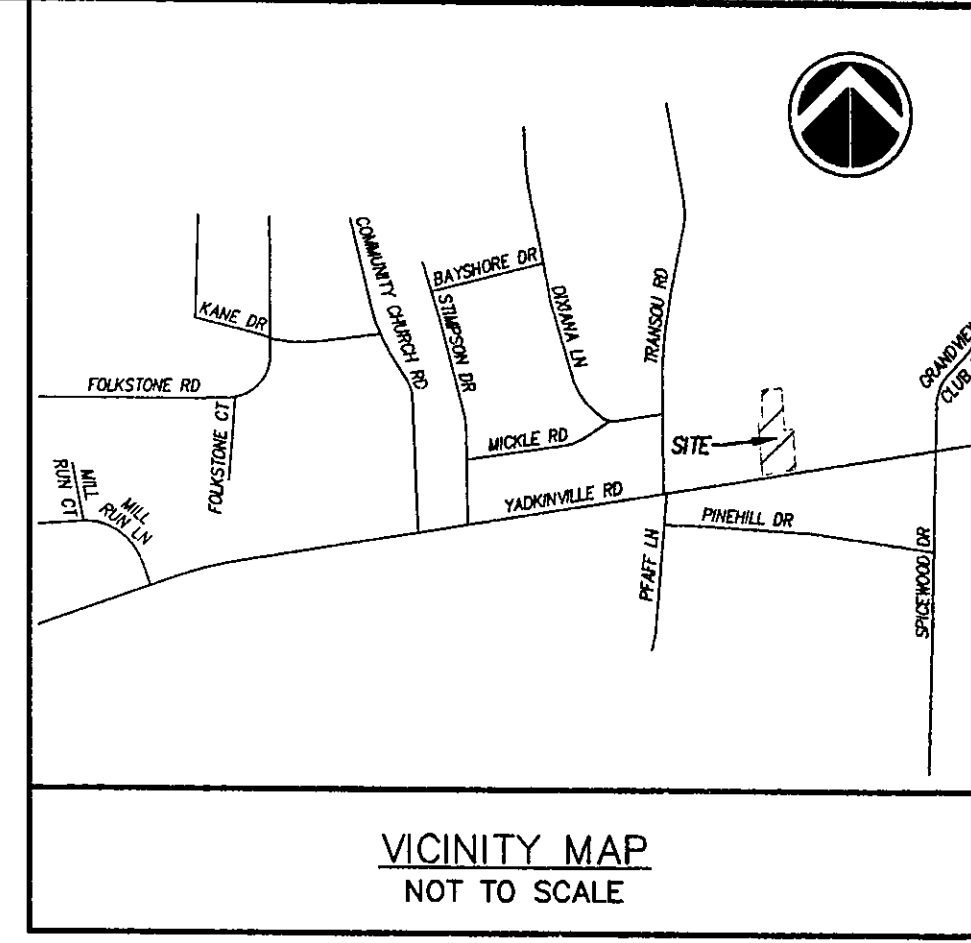
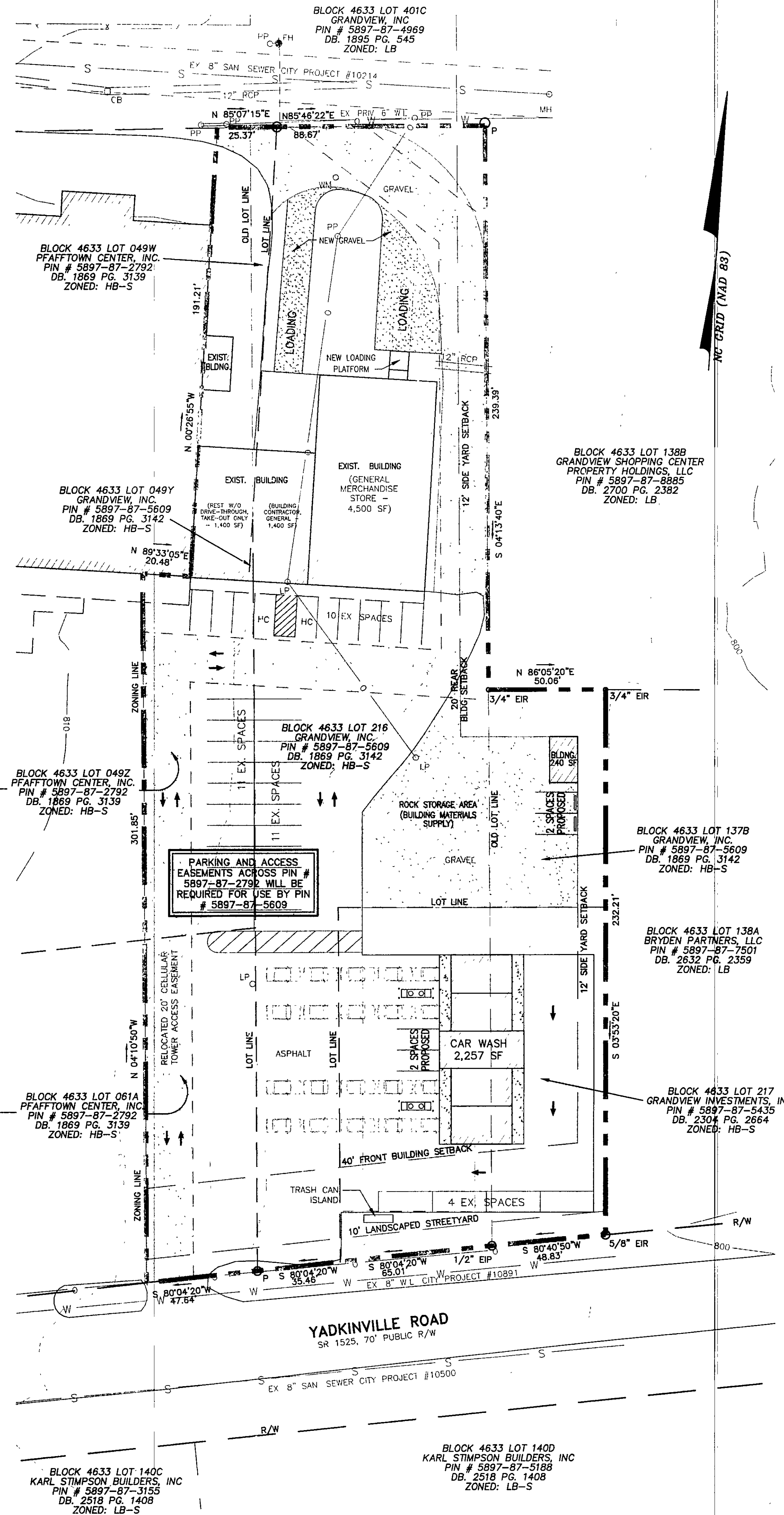
VOTE:

FOR: Jerry Clark, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning



SITE DATA

PROPERTY OWNER: TAX BLOCK 4633 LOT 217
 PIN #5897-87-5435
 GRANDVIEW INVESTMENTS, INC.
 P.O. BOX 129
 PFAFFTOWN, N.C. 27040

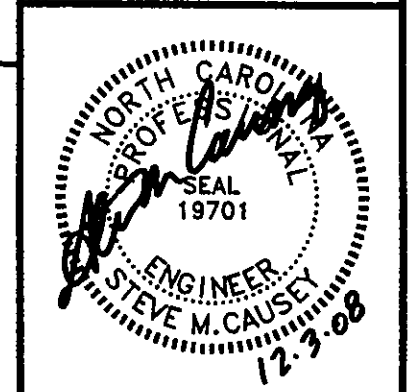
TAX BLOCK 4633 LOTS 049Y, 216, 137B
 PIN #5897-87-2792
 GRANDVIEW, INC.
 P.O. BOX 129
 PFAFFTOWN, N.C. 27040

TAX BLOCK 4633 LOT 049W AND PORTION OF LOTS 049Z AND 061A
 PIN #5897-87-2792
 PFAFFTOWN CENTER, INC.
 P.O. BOX 129
 PFAFFTOWN, N.C. 27040

DEVELOPER: GRANDVIEW, INC.
 DRAWER 129
 PFAFFTOWN, N.C. 27040
 PHONE: 336-924-9745
 FAX: 336-924-8848
 THOM FOWLER

ENGINEER/SURVEYOR: ALLIED DESIGN, INC.
 4720 KESTER MILL ROAD
 WINSTON-SALEM, N.C. 27103
 PHONE: 336-765-2377
 FAX: 336-760-8886
 STEVE M. CAUSEY, P.E.
 RICHARD P. BENNETT, P.L.S.

Allied Design, Inc.
 CIVIL ENGINEERING & LAND SURVEYING
 4720 KESTER MILL ROAD
 WINSTON-SALEM, NORTH CAROLINA 27103
 Phone: (336) 765-2377
 Fax: (336) 760-8886
 e-mail: ASurvey@aol.com



PRELIMINARY SITE PLAN
 FOR PLANNING BOARD REVIEW ONLY

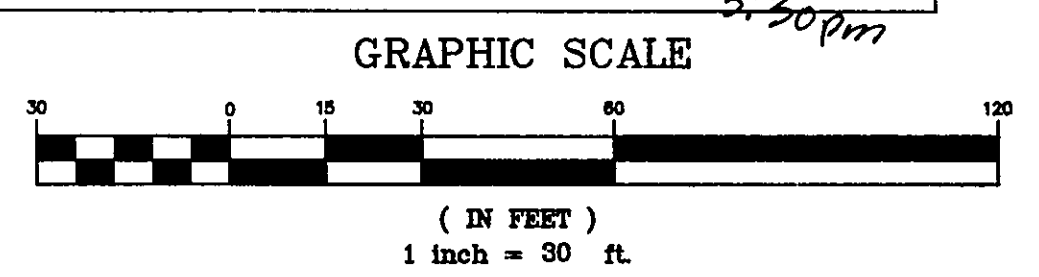
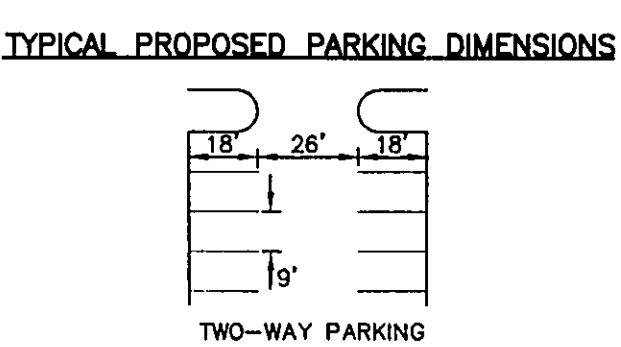
PFAFFTOWN CENTER
 4659 YADKINVILLE ROAD
 GRANDVIEW, INC.
 PFAFFTOWN, NORTH CAROLINA

PROJECT NO.: 08-046
 DRAWN BY: JMN
 CHECKED BY: SMC
 DATE: 10/27/08

PURPOSE STATEMENT
 THE PURPOSE OF THIS SUBMITTAL IS FOR REZONING AND SITE PLAN APPROVAL FOR PIN #5897-87-5435, PIN #5897-87-5609 AND A PORTION OF PIN #5897-87-2792.

- GENERAL NOTES**
- EXISTING SITE BOUNDARY AND LOCATION INFORMATION TAKEN FROM A SURVEY COMPLETED BY ALLIED SURVEYING CO., P.A. DATED APRIL 7, 1995. EXISTING SITE TOPOGRAPHIC INFORMATION HAS BEEN TAKEN FROM AVAILABLE COUNTY TOPOGRAPHIC MAPS. CONTOUR INTERVAL = 2'.
 - ALL DEVELOPMENT SHALL CONFORM WITH THE FORSYTH COUNTY "UNIFIED DEVELOPMENT ORDINANCE".
 - ALL DIMENSIONS ARE TO EDGE OF PAVEMENT AND FACE OF BUILDING, UNLESS OTHERWISE NOTED. VERIFY ALL BUILDING DIMENSIONS WITH ARCHITECT PRIOR TO START OF CONSTRUCTION.

PROPOSED USES	
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; GENERAL MERCHANDISE STORE; HARDWARE STORE; NON-STORE RETAILER; WHOLESALE TRADE A	
ZONING	
EXISTING ZONING:	HB-S
PROPOSED ZONING:	HB-S
TYPE OF REVIEW REQUESTED: REZONING & SITE PLAN APPROVAL	
JURISDICTION: CITY OF WINSTON-SALEM	
PREVIOUS ZONING DOCKET: F-1360	
SITE SIZE AND COVERAGES	
TOTAL ACREAGE:	1.78± ACRE(S)
SITE COVERAGES:	
BUILDING TO LAND	(9,829 SF) 12.39 %
PAVEMENT TO LAND	(41,590 SF) 53.51 %
OPEN SPACE	(26,502 SF) 34.10 %
TOTAL	(77,921 SF) 100 %
BUILDING SQUARE FOOTAGE:	2,257 SQ FT
BUILDING HEIGHT:	40 (MAX) FT OR STORIES
INFRASTRUCTURE	
WATER:	YES PUBLIC: X PRIVATE: _____
SEWER:	YES PUBLIC: X PRIVATE: _____
STREETS:	NO PUBLIC: _____ PRIVATE: X
BUFFERYARDS	
ADJOINING ZONING:	HB, LB
TYPE REQUIRED:	NONE REQUIRED
WIDTH PROVIDED:	N/A
FENCE OPTION:	YES _____ NO _____
BUILDING SETBACKS	
FRONT:	40'
REAR:	20'
SIDE:	0.5/12'
STREET:	20'
DENSITY CALCULATIONS	
NUMBER OF UNITS OR LOTS:	N/A UNITS/LOTS
DENSITY:	N/A UNITS/ACRE OR LOTS/ACRE
OFF-STREET PARKING	
PROPOSED USE(S):	RESTAURANT WITHOUT DRIVE-THROUGH (TAKE-OUT ONLY)
PARKING CALCULATION:	1 SPACE / 200 SF GEA
REQUIRED PARKING:	7 SPACES
PROPOSED USE(S):	BUILDING CONTRACTOR GENERAL
PARKING CALCULATION:	1 SPACE / 750 SF GEA
REQUIRED PARKING:	2 SPACES
PROPOSED USE(S):	GENERAL MERCHANDISE STORE
PARKING CALCULATION:	1 SPACE / 200 SF GEA
REQUIRED PARKING:	22 SPACES
PROPOSED USE(S):	BUILDING MATERIALS SUPPLY
PARKING CALCULATION:	1 SPACE / 500 SF GEA
REQUIRED PARKING:	1 SPACE
PROPOSED USE(S):	CAR WASH SELF SERVICE
PARKING CALCULATION:	2 SPACES
REQUIRED PARKING:	2 SPACES
TOTAL REQUIRED PARKING:	38 SPACES
TOTAL PARKING PROVIDED:	40 SPACES



NO.	DATE	DESCRIPTION
A	10/27/08	ISSUED FOR SKETCH PLAN REVIEW
B	11/04/08	ISSUED FOR PRE-SUBMITTAL REVIEW
C	11/17/08	REVISED PER PLANNING BOARD COMMENTS
D	12/03/08	REVISED PER INTERDEPARTMENTAL REVIEW COMMENTS

REZONING AND PRELIMINARY SITE PLAN

SHEET **C1** OF 1

W-3013 "REVISED" ZONING FILE COPY