



DOCKET #: F1360

PROPOSED ZONING:
HB-S (Multiple Uses)

EXISTING ZONING:
HB-S

PETITIONER:
Grandview, Inc.
for property owned
by Irene F. Gambill

SCALE: 1" represents 200'

STAFF: Hughes

GMA: 3

ACRE(S): 1.78

MAP(S): 594874, 594878



February 19, 2002

Grandview, Inc.
c/o Thom Fowler
Drawer 129
Pfafftown, NC 27040

RE: ZONING MAP AMENDMENT F-1360

Dear Mr. Fowler:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners.

When the rezoning is scheduled for public hearing, you will be notified by Jane Cole, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, AICP
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _____ **AGENDA ITEM NUMBER:**

SUBJECT:-

Zoning map amendment of Grandview, Inc. for property owned by Grandview Inc., Irene F. Gambill, and Pfafftown Center, Inc.

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning map amendment of Grandview, Inc. for property owned by Grandview Inc., Irene F. Gambill, and Pfafftown Center, Inc. from HB-S (Building Contractor, General; Building Materials Supply; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); Shooting Range, Indoor; and Transmission Tower) to HB-S (Building Contractor, General; Building Materials Supply; Car Wash; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); and Shooting Range, Indoor): property is located on the north side of Yadkinville Road east of Transou Road (Zoning Docket F-1360).

After consideration, the Planning Board recommended approval of the rezoning petition, certified that the site plan meets all code requirements and recommends staff conditions.

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Grandview, Inc. for property owned by Grandview Inc., Irene F. Gambill, and Pfafftown Center, Inc., Docket F-1360

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 HB-S [Building Contractor, General; Building Materials Supply; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); Shooting Range, Indoor; and Transmission Tower] to HB-S [Building Contractor, General; Building Materials Supply; Car Wash; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through service); and Shooting Range, Indoor] the zoning classification of the following described property:

BEGINNING at the southwest corner of Tax Lot 138A Block 4633 and running along Yadkinville Road south 80° 40' 50" west 48.83 feet to a point; thence south 80° 04' 20" west 100.47 feet to a point; thence south 80° 04' 20" west 47.64 feet to the corner of Tax Lot 61A Block 4633 running thence north 04° 10' 50" west 301.85 feet to a point; thence north 89° 33' 05" east 20.48 feet to a point; thence north 00° 26' 55" west 191.21 feet to a point; thence north 85° 07' 15" east 14.11 feet to an existing iron pipe; thence north 85° 46' 22" east 99.93 feet to a point; thence along Tax Lot 138B Block 4633 south 04° 13' 40" east 241.07 feet to a point; thence north 86° 05' 20" east 50.06 feet to a 3/4" existing iron pipe; thence along Tax Lot 138A, Block 4633 south 03° 53' 20" east 232.21 feet to the point and place of Beginning containing 1.78 acres± and being Tax Lots 49W, 49X, 49Y, 137 and portions of Tax Lots 49Z and 61A, all in Tax Block 4633.

Section 2. This Ordinance is adopted after approval of the site plan entitled Grandview Car Wash, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 20____ to Grandview, Inc. for property owned by Grandview Inc., Irene F. Gambill, and Pfafftown Center, 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 Grandview Car Wash. 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 Grandview, Inc. for property owned by Grandview Inc., Irene F. Gambill, and Pfafftown Center, Inc. (Zoning Docket F-1360).

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); and Shooting Range, Indoor], 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 HB-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. Driveway permit shall be issued by the North Carolina Department of Transportation (NCDOT).
 - b. Developer shall install road improvements on Yadkinville Road as shown on the site plan to the specifications of the North Carolina Department of Transportation.

- **PRIOR TO ISSUANCE OF BUILDING PERMITS**
 - a. Record a negative access easement along the entire frontage on Yadkinville Road excluding driveways approved by NCDOT.

ZONING STAFF REPORT

DOCKET # F-1360

STAFF: Suzy Gallaway

Petitioner(s): Grandview, Inc.

Ownership: Grandview Inc., Irene F. Gambill, and Pfafftown Center, Inc.

REQUEST

From: HB-S Highway Business District [Building Contractor, General; Building Materials Supply; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through); Shooting Range, Indoor; Transmission Tower]

To: HB-S Highway Business District [Building Contractor, General; Building Materials Supply; Retail Store, Specialty or Miscellaneous; Restaurant (without drive-through); Shooting Range, Indoor; Car Wash]

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

Acreage: 1.78 acres

LOCATION

Street: North side of Yadkinville Road east of Transou Road.

Jurisdiction: Forsyth County.

SITE PLAN

Proposed Use: Retail Store, Specialty or Miscellaneous; Shooting Range, Indoor; Building Materials Supply; Car Wash.

Square Footage: 2,257 sq. ft.

Building Height: 40 ft.

Parking: Required: 21; proposed: 37

Bufferyard Requirements: None, site not adjacent to any zoning districts requiring buffering.

Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: Small structure for current building Materials Supply use and a portion of an existing shopping center building.

Adjacent Uses:

North - Cell tower, zoned HB-S.

Northeast - Food Lion grocery store, zoned LB.

Southeast - Single Family residences, zoned RS-9.
South - Undeveloped property, zoned LB-S.
West - Shopping Center, zoned LB.

GENERAL AREA

Character/Maintenance: Well-maintained commercial uses, with some nearby well-maintained single family development.

Development Pace: Moderate.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site is partially developed and has little vegetation.

Topography: Property slopes down from west to east from an approximate elevation of 810 to 800.

Watershed: This property does not lie within the limits of a water supply watershed.

Comments: Compliance with the State and local Erosion Control provisions will be required for this project.

TRANSPORTATION

Direct Access to Site: Yadkinville Road; Transou Road.

Street Classification: Yadkinville Road - major thoroughfare; Transou Road - minor thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Yadkinville Road between Grandview Club Road and Transou Road = 9,900/11,100

Transou Road between Yadkinville Road and Skylark Road = 3,700/11,100

Trip Generation/Existing Zoning: HB-S

14,695/1,000 x 130.34 = 1,915 trips per day

Trip Generation/Proposed Zoning: HB-S

17,594/1,000 x 130.34 = 2,293 trips per day

HISTORY

Relevant Zoning Cases:

1. F-1341; LB-S to Site Plan Amendment; approved June 25, 2001; southeast corner of Yadkinville Road and Pfaff Lane along Pinehill Drive; 4.47 acres; Planning Board and staff recommended approval.
2. F-1164; HB-S (Multiple Business Uses) to HB-S (Multiple Business Uses, addition of Transmission Tower); north side of Yadkinville Road including current site; 3.65 acres; Planning Board and staff recommended approval.

3. F-1136; LB to HB-S (Multiple Business Uses); current site is a portion of site; 3.65 acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): *Legacy* recommends that commercial development be focused at activity nodes and be designed to be pedestrian friendly.

Area Plan/Development Guide: The site is not within the boundaries of a development guide or an area plan.

ANALYSIS

The petitioner has submitted this request to rezone 1.78 acres from HB-S to HB-S. It is a portion of a site currently zoned HB-S. The request is to add the car wash use to the permitted uses.

The proposed rezoning meets some of the *Legacy* recommendations. It is adding commercial uses to an area of pre-existing commercial uses and zoning. It does not promote pedestrian activity, however that is due in large part to the surrounding shopping areas being developed at a time when pedestrian orientation was not a concern. As the site lies between two auto-oriented shopping areas, and the car wash use is auto dependent, it is unrealistic to expect this request to meet this aspect of *Legacy* recommendations. The addition of the car wash use would not be a detriment to the area and is consistent with the uses in the immediate area.

FINDINGS

1. The petitioner has submitted this request to rezone 1.78 acres from HB-S to HB-S.
2. The request is to add the car wash use to the permitted uses.
3. The request would add one commercial use to an area of existing commercial uses.
4. The addition of the car wash use would not be a detriment to the area and is consistent with the uses in the immediate area.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions:

- **PRIOR TO ISSUANCE OF GRADING PERMITS**
 - a. Driveway permit shall be issued by the North Carolina Department of Transportation (NCDOT).

- b. Developer shall install road improvements on Yadkinville Road as shown on the site plan to the specifications of the North Carolina Department of Transportation.
- **PRIOR TO ISSUANCE OF BUILDING PERMITS**
 - a. Record a negative access easement along the entire frontage on Yadkinville Road excluding driveways approved by NCDOT.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Arnold King moved approval of the zoning map amendment.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Clark, Doyle, King, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: Arnold King certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Kerry Avant

VOTE:

FOR: Avant, Clark, Doyle, King, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

According to information furnished by the property of the Tax Assessor, the subject property was in the name of Grandview Inc., Irene F. Gambill, and Pfafftown Center, Inc. as of January 14, 2002.

A. Paul Norby, AICP
Director of Planning