

Motion and
Statement of Consistency with Comprehensive Plan
F-1547

I move that the following statement be adopted in support of a **Motion**
to Approve Zoning Map Amendment F-1547:

The proposed special use zoning map amendment with its added conditions is consistent with the Legacy Comprehensive Plan and the West Suburban Area Plan and is reasonable and in the public interest because:

1. the zoning request would maintain the current LB-S zoning and allow for the addition of the following uses:

Church or Religious Institution, Neighborhood;
Government Offices, Neighborhood Organization or Post Office;
Furniture and Home Furnishings Store;
Funeral Home;
Museum or Art Gallery; however,
no building or parking expansions are proposed.

2. the zoning request is compatible with the surrounding development pattern; and

3. the proposed use of the subject property is compatible with the approved uses permitted on adjacent LB-S zoned property and complies with the requirements of the Unified Development Ordinances (UDO).

Based on the foregoing Statement, I move adoption of F-1547.

Second:

Vote:

Motion and
Statement of Consistency with Comprehensive Plan
F-1547

I move that the following statement be adopted in support of a ***Motion to Deny*** Zoning Map Amendment F-1547:

The proposed special use zoning map amendment with its added conditions is consistent with the Legacy Comprehensive Plan and the West Suburban Area Plan, however, it is not reasonable or in the public interest because:

1. the zoning request would maintain the current LB-S zoning but allow for the addition of the following uses:

- Church or Religious Institution, Neighborhood;
- Government Offices, Neighborhood Organization or Post Office;
- Furniture and Home Furnishings Store;
- Funeral Home;
- Museum or Art Gallery;

2. if approved, the additional uses under zoning request could create traffic concerns in the surrounding development.

Based on the foregoing Statement, I move denial of F-1547.

Second:

Vote:

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: July 28, 2014 **AGENDA ITEM NUMBER:** _____

SUBJECT:-

- A. Public Hearing on Zoning Petition of Karl Stimpson Builders, Inc. from LB-S (Banking and Financial Services; Offices; Services A; Veterinary Services; Arts and Crafts Studio; Furniture and Home Furnishings Store; Retail Store; Recreation Services, Indoor; and Child Day Care Center) to LB-S (Banking and Financial Services; Offices; Services A; Veterinary Services; Arts and Crafts Studio; Furniture and Home Furnishings Store; Retail Store; Recreation Services, Indoor; Child Day Care Center; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Funeral Home; and Museum or Art Gallery): Property is Located on the Southeast Corner of Yadkinville Road and Pfaff Lane (Zoning Docket F-1547)
- B. Ordinance Amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, North Carolina
- C. Approval of Special Use District Permit
- D. Approval of Site Plan

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

After consideration, the Planning Board recommended approval of the rezoning petition.

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

County Manager

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Karl Stimpson Builders, Inc., Docket F-1547

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 LB-S (Banking and Financial Services; Offices; Services A; Veterinary Services; Arts and Crafts Studio; Furniture and Home Furnishings Store; Retail Store; Recreation Services, Indoor; and Child Day Care Center) to LB-S (Banking and Financial Services; Offices; Services A; Veterinary Services; Arts and Crafts Studio; Furniture and Home Furnishings Store; Retail Store; Recreation Services, Indoor; Child Day Care Center; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Funeral Home; and Museum or Art Gallery) the zoning classification of the following described property:

PIN #5897-77-9194, 5897-87-1176, 3155, and 5188

Section 2. This Ordinance is adopted after approval of the site plan entitled Pfafftown Village, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 20____ to Karl Stimpson Builders, 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 Pfafftown Village. 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 Karl Stimpson Builders, Inc. (Zoning Docket F-1547). 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 LB-S (Banking and Financial Services; Offices; Services A; Veterinary Services; Arts and Crafts Studio; Furniture and Home Furnishings Store; Retail Store; Recreation Services, Indoor; Child Day Care Center; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Funeral Home; and Museum or Art Gallery), 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 LB-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 THE ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall cordon off the proposed thirty (30) foot wide undisturbed bufferyard as shown on the site plan.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
 - a. Developer shall obtain a driveway permit from NCDOT.
 - b. As volunteered by the developer, all new buildings shall be substantially in compliance with the building materials and character of existing building on the site. Meeting this condition shall be confirmed by Planning staff. (See Exhibit "A")
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. Developer shall complete all requirements of the NCDOT Driveway Permit.

- **OTHER REQUIREMENTS:**

- a. A total of two (2) freestanding monument type ground signs with a maximum copy area of thirty (30) square feet with a maximum height of six (6) feet will be permitted along the entire frontage of Yadkinville Road.
- b. All dumpsters shall be screened using materials and colors which match buildings on the site.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	F-1547
Staff	Kelly Bennett, AICP
Petitioner(s)	Karl Stimpson Builders, Inc.
Owner(s)	Same
Subject Property	PIN #s 5897-77-9194, 5897-87-1176, 3155, and 5188
Address	4646 through 4690 Yadkinville Road
Type of Request	Special use rezoning from LB-S to LB-S
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LB-S (Limited Business District: Banking and Financial Services; Offices; Services, A; Veterinary Services; Arts and Crafts Studio; Furniture and Home Furnishings Store; Recreation Services, Indoor; and Retail Store) to LB-S (Limited Business District). The petitioner is requesting to add the following uses to the existing approved uses:</p> <ul style="list-style-type: none"> • Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization or Post Office; Furniture and Home Furnishings Store; Funeral Home; Museum or Art Gallery
Neighborhood Contact/Meeting	The application indicates no neighborhood meeting has been held.
Zoning District Purpose Statement	The LB District is primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas. The district is established to provide locations for businesses that serve nearby neighborhoods, including smaller business locations up to ten (10) acres in size in rural areas. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so that this district, in some instances, may serve as a transition between residential districts and other commercial districts. This district is intended for application in GMAs (Growth Management Areas) 2 (Urban Neighborhoods), 3 (Suburban Neighborhoods), 4 (Future Growth Area), and 5 (Rural Area).
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is already zoned LB-S.</p>
GENERAL SITE INFORMATION	
Location	Southeast corner of Yadkinville Road and Pfaff Lane
Jurisdiction	Forsyth County
Site Acreage	± 4.26 acres
Current Land Use	The site is currently developed with a mixture of office and business uses.

Surrounding Property Zoning and Use	Direction	Zoning District		Use
	North	LB & HB-S		Shopping Center
	East	RS9		Single family homes
	South			
West				
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(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 developed site has a gentle slope downward to the east.			
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 located within a water supply watershed.			
Analysis of General Site Information	The site has no apparent constraints and is suitable for development within the proposed LB-S District.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Yadkinville Road	Major Thoroughfare	850'	10,000	11,100
Pfaff Lane	Local street	147'	NA	NA
Pinehill Drive	Local street	883'	NA	NA
Proposed Access Point(s)	The existing development has two access points onto Yadkinville Road.			
Trip Generation - Existing/Proposed	Traffic generation from the proposed uses will not be greater than existing uses.			
Sidewalks	There are no sidewalks located in the general area.			
Transit	Not available.			
Connectivity	Once the site is fully developed there will be internal connectivity between all six buildings.			
Analysis of Site Access and Transportation Information	The site has good access and staff does not anticipate any negative transportation impacts from this request.			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	Growth Management Area 3 - Suburban Neighborhoods			
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Promote the use of moderate-density residential and office as transitional uses between intense business and residential uses. Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area. 			

Relevant Area Plan(s)	<i>West Suburban Area Plan (2011)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> The site is located in the Yadkinville Road/Transou Road Neighborhood Activity Center (NAC) and designated for office use.
Addressing	There are no address numbering or street naming concerns.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(R)(4) - Is the requested action in conformance with <i>Legacy</i>?
Yes	
Analysis of Conformity to Plans and Planning Issues	<p>The subject request is to add the uses of Church or Religious Institution, Neighborhood Government Offices, Neighborhood Organization or Post Office, Furniture and Home Furnishings Store, Funeral Home, and Museum or Art Gallery to the existing list of permitted uses. No building or parking expansions are proposed.</p> <p>The <i>West Suburban Area Plan</i> identifies office use for the subject property as being a part of the Yadkinville Road / Transou Road NAC. According to the staff analyses of the original approval in 1988, the main site plan consideration was to keep an appropriate vegetative and topographic buffer between the proposed development and adjacent residential properties located south, east, and west. It was also important to maintain a character and scale of development in keeping with the surrounding residential areas. Planning staff believes the current request continues to adequately address these considerations.</p>

RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1531	LB-S to LB-S	Approved 5-14-12	Current site	4.26	Approval	Approval
F-1423	LB-S to LB-S	Approved 1-10-05	Current site	4.26	Approval	Approval
F-881	R6 (RS20) to B2-S (LB-S)	Approved 8-22-88	Current site	4.26	Approval	Approval

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

Building Square Footage	Square Footage	Placement on Site
		21,057 sf (total site)
Parking	Required	Proposed
	11 spaces for Church or Religious Institution	29 spaces for Church or Religious Institution
	23 spaces for Office Building	36 spaces for Office Building
	6 spaces Child Day Care Center	9 spaces for Child Day Care Center
	2 spaces for Beauty Salon	8 spaces for Beauty Salon
Building Height	Maximum	Proposed
	40'	One story existing

Impervious Coverage	Maximum 75%	Proposed 48.41%
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.3 (G) Limited Business District Chapter B, Article II, Section 2-5.22 Church or Religious Institution, Neighborhood Scale 	
Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy policies:</i>	Yes
	(B) <i>Environmental Ord.</i>	NA
	(C) <i>Subdivision Regulations</i>	NA
Analysis of Site Plan Compliance with UDO Requirements	The site plan complies with the requirements of the UDO.	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
The request would give more use flexibility to the site.		None
The property is already zoned LB-S		
The request remains compatible with the surrounding development pattern.		
The request is consistent with the area plan.		
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL		
<p>These conditions are based upon the previously approved site plan, F-1423. Some of these conditions may have already been addressed and complied with during development of the site.</p> <ul style="list-style-type: none"> PRIOR TO THE ISSUANCE OF GRADING PERMITS: <ol style="list-style-type: none"> Developer shall cordon off the proposed thirty (30) foot wide undisturbed bufferyard as shown on the site plan. PRIOR TO THE ISSUANCE OF BUILDING PERMITS: <ol style="list-style-type: none"> Developer shall obtain a driveway permit from NCDOT. As volunteered by the developer, all new buildings shall be substantially in compliance with the building materials and character of existing building on the site. Meeting this condition shall be confirmed by Planning staff. (See Exhibit "A") PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS: <ol style="list-style-type: none"> Developer shall complete all requirements of the NCDOT Driveway Permit. OTHER REQUIREMENTS: <ol style="list-style-type: none"> A total of two (2) freestanding monument type ground signs with a maximum copy area of thirty (30) square feet with a maximum height of six (6) feet will be permitted along the entire frontage of Yadkinville Road. All dumpsters shall be screened using materials and colors which match buildings on the site. 		

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.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR F-1547
JUNE 12, 2014**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning petition and certified that the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: Lynne Mitchell

VOTE:

FOR: Unanimous

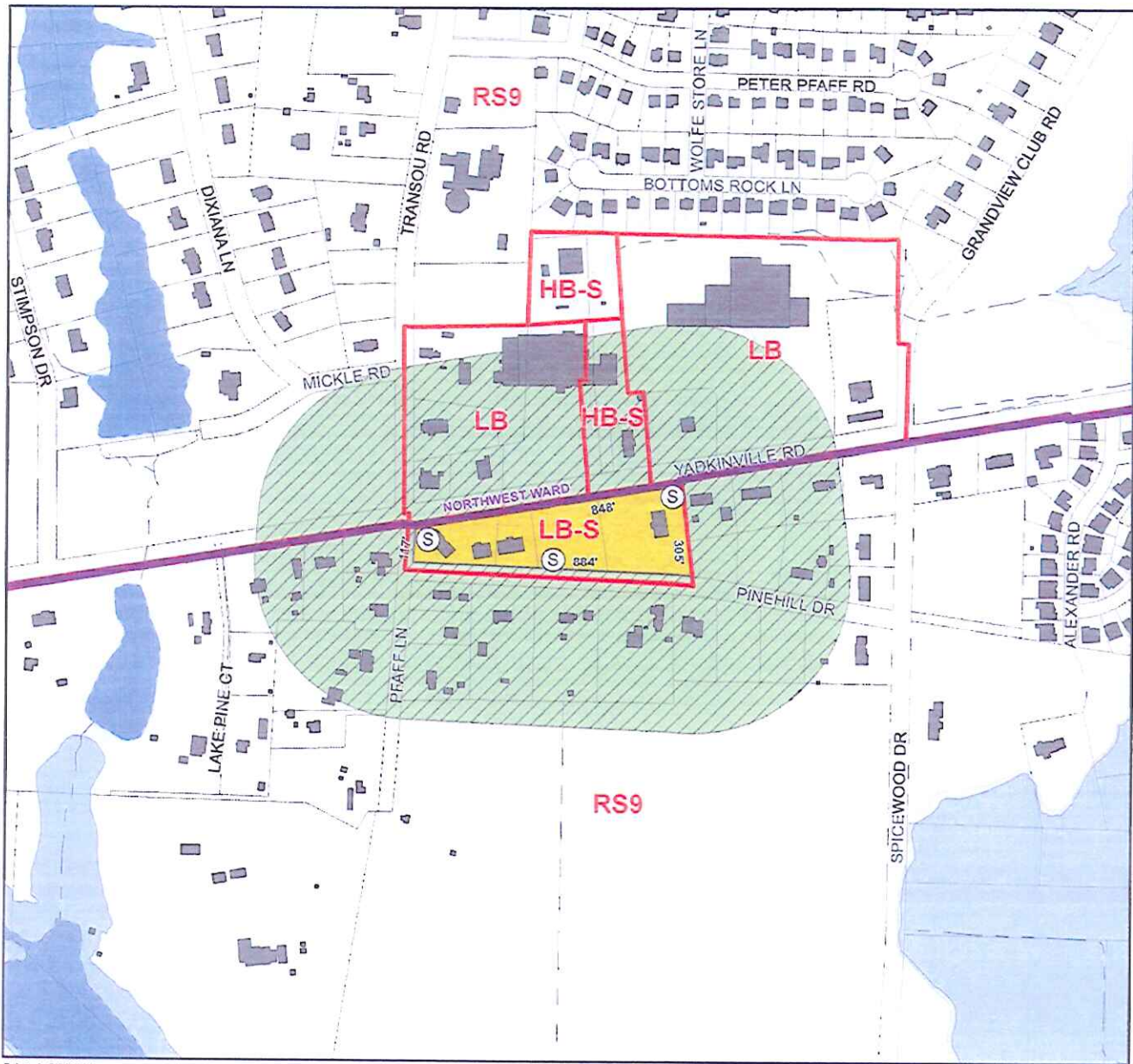
AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor on June 27, 2014, the subject property was in the name of Karl Stimpson Builders, Inc.



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



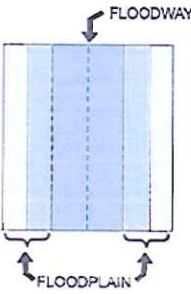
Printed: 5/21/2014

DOCKET #: F1547

PROPOSED ZONING:
LB-S

EXISTING ZONING:
LB-S

PETITIONER:
Karl Stimpson Builders Inc. for
property owned by Same



SCALE: 1" represents 500'

STAFF: Bennett

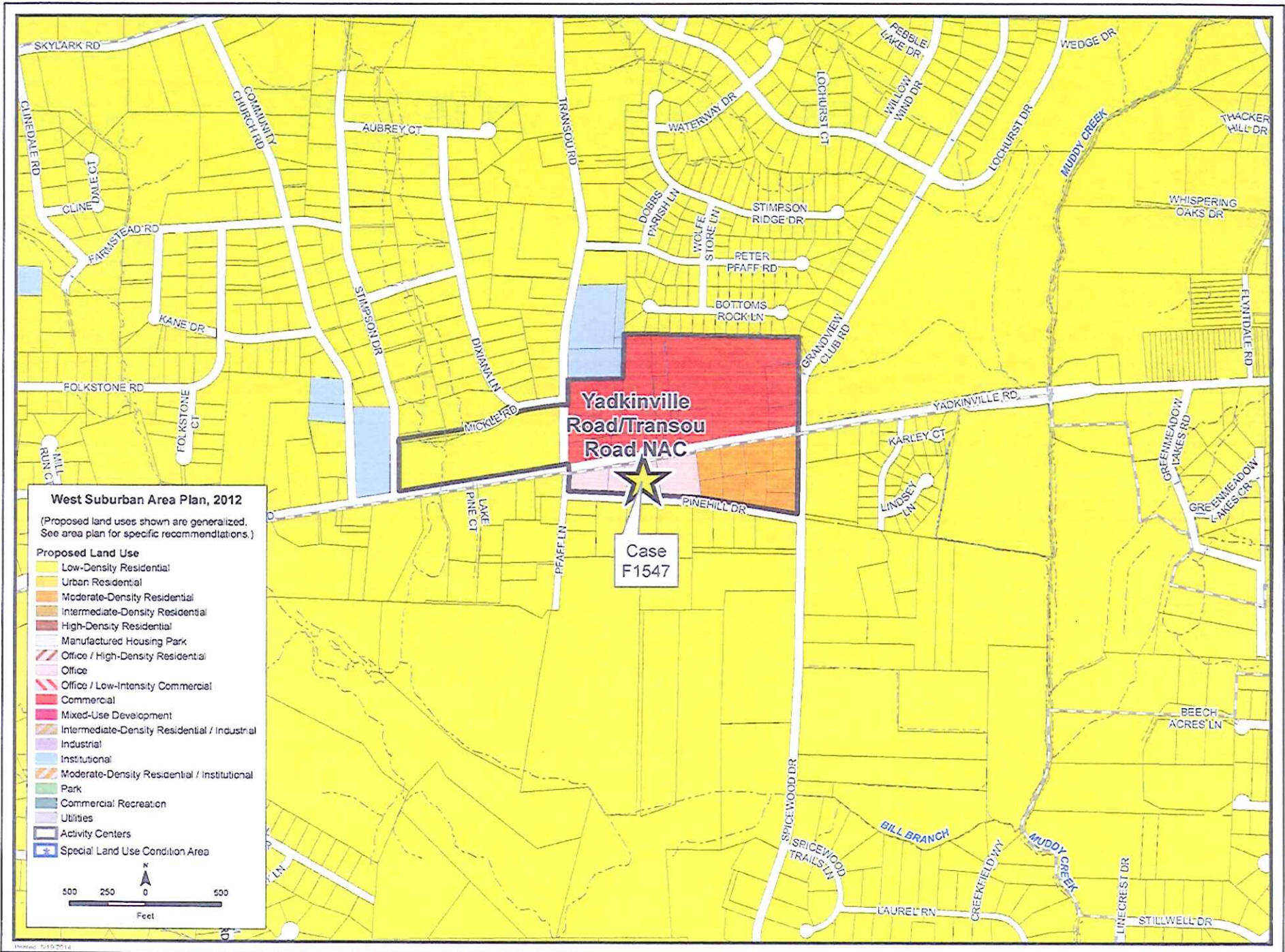
GMA: 3

ACRES: 4.26

**NEAREST
BLDG:** 21' east

MAP(S): 5897.02





Project No. _____

Date 2/27/12

Drawn: DR

Checked: PS

Revisions

1- 3/7/12
City/County
Planning
Comments

2- 3/29/12
Interdepartmental
Review
Comments

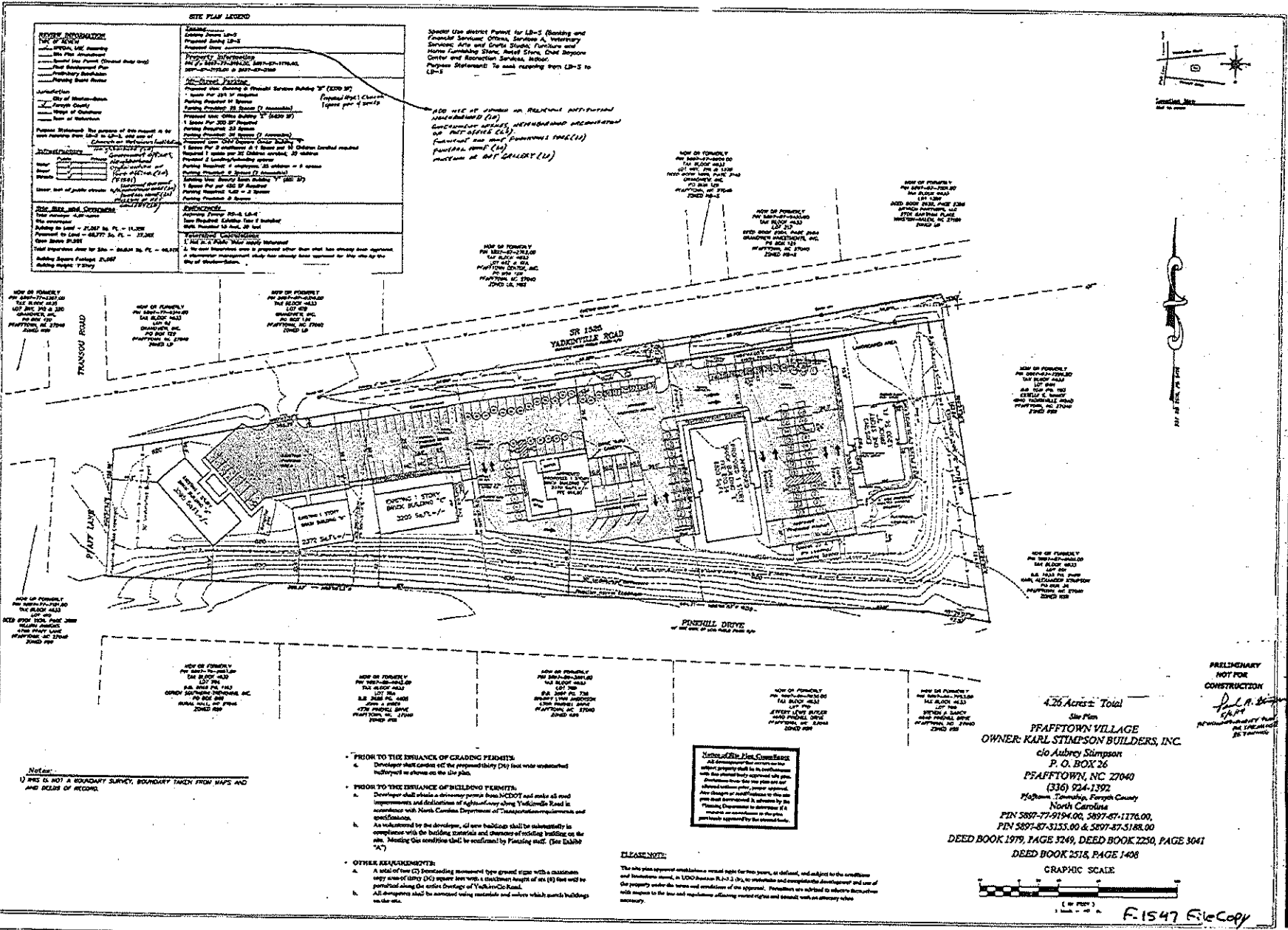
3- 3/29/12
Final Review
Comments

ENGINEER:
STIMPSON ENGINEERING &
CONSULTING, PLLC P-0355
1500 W. WILSON ROAD
PRAIRIEVILLE, NC 27657
Phone: (818) 797-2433
Fax: (818) 797-2434
paulstimpson@stimpsoneng.com

PAUL STIMPSON BUILDERS, INC.

SITE PLAN

sheet 1.0



3/27/12 Pfafftown Village, Pfafftown, NC, 27657



EXHIBIT "A" PEARSTOWN VILLAGE (P-1416) F-1416 F-1351

INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

Project Case Number: F-1547

PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS

Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. Further, please note that additional information may be forthcoming from Departments that indicate "See Emailed Comments" or other similar phrase. A list of recommended conditions from this Interdepartmental Review will be sent to you via e-mail generally by the end of the business day on Friday the week prior to the Planning Board Public Hearing.

PROJECT CASE NUMBER: F-1547 **PROJECT TITLE:** Pfafftown Village **DATE:** May 28, 2014

PROJECT DESCRIPTION: Southeast corner of Yadkinville Road and Pfaff Lane

NCDOT- Phone # - 336.747.7900 Email: skjones@ncdot.gov

No Comments

Signature

WSDOT- Phone # - 336.747.6872 Email: conniej@cityofws.org

The future cross-section for Yadkinville Road is 3 lanes with bike and ped accommodations. If new buildings are being added we would like to see sidewalk.

Signature

City Engineer- Phone # - 336.747.6846 Email: albertcg@cityofws.org

No comments

Signature

Inspections (Zoning)- Phone # - 336.727.2626 Email: jeffv@cityofws.org

No comments

Signature

Erosion Control - Phone # - 336.747.7453 Email: matthewo@cityofws.org

An Environmental Grading and Erosion Control Permit will be required if more than 10,000 square feet is to be disturbed during construction. An Erosion and Sedimentation Control plan must be submitted and approved before the permit can be issued. Please submit this plan at least 30 days prior to the intended start date of construction.

Signature

Stormwater Division- Phone # - 336.747.6961 Email: josephf@cityofws.org

No comments

Signature

Fire (County)- Phone # - 336.703-2550 Email: smithbj@forsyth.cc

No Comments

INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE

Project Case Number: F-1547

Signature

Utilities- Phone # - 336.747.7499 Email: mikep@cityofws.org

No comments

Signature

Sanitation- Phone # - 336.748.3080 Email: randallb@cityofws.org

No comments

Signature

Planning- Phone # - 336.747.7043/747.7068 Email: aaronk@cityofws.org

No comments

Signature

Forsyth County Health Department - 336.703-3110 Email: rakescd@forsyth.cc

No comments

Signature

Vegetation Management -336.748.3020 Email: keithf@cityofws.org

No comments

Signature

Street Names/Addresses -336.747.7048 Email: benfs@cityofws.org

6820 sq ft building is assigned 4654 Yadkinville Rd and the 2370 sq ft bldg. is 4662 Yadkinville Rd.

Signature