

**DOCKET #:** F1416

**PROPOSED ZONING:**

LB-S  
(Multiple Business Uses)

**EXISTING ZONING:**

LB-S  
(Multiple Business Uses)

**PETITIONER:**

Karl Stimpson for  
property owned by  
Karl A. Stimpson  
and Karl Stimpson Builders

**SCALE:** 1" represents 200'

**STAFF:** Gallaway

**GMA:** 3

**ACRE(S):** 4.469

**MAP(S):** 594874



July 21, 2004

Karl A. Stimpson  
P. O. Box 26  
Pfafftown, NC 27040

RE: ZONING MAP AMENDMENT F-1416

Dear Mr. Stimpson:

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:-**

- A. Zoning map amendment of Karl A. Stimpson and Karl Stimpson Builders, Inc. from LB-S (Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; and Services, Business B) to LB- S (Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; and Services, Business B; and Recreational Services, Indoor): property is located on the southeast corner of Yadkinville Road and Pfaff Lane along Pinehill Drive (Zoning Docket F-1416)
- B. Ordinance Amending the Forsyth County Zoning Ordinance and Official Zoning Map
- C. Approval of Special Use Zoning 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 A. Stimpson and Karl Stimpson Builders, Inc., Docket F-1416

AN ORDINANCE AMENDING  
THE FORSYTH COUNTY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE COUNTY OF FORSYTH,  
NORTH CAROLINA

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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 (Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; and Services, Business B) to LB- S (Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; and Services, Business B; and Recreational Services, Indoor) the zoning classification of the following described property:

BEGINNING at the intersection of the northern right-of-way of Pinehill Drive with the eastern right-of-way of Pfaff Lane, running thence with the eastern right-of-way of Pfaff Lane north 2° 56' 02" east 138.76 feet to a point where the eastern right-of-way of Pfaff Lane intersects the southern right-of-way of Yadkinville Road, running thence with the southern right-of-way of Yadkinville Road north 80° 33' 31" east 848.67 feet to the northwestern corner of tax lot 64H, running thence with the western line of lot 64H south 9° 24' 42" east 195.19 feet to the southwestern corner of tax lot 64H, running thence on a "new" line across part of Tax Lot 140 south 9° 24' 42" east 124.25 feet to a point in the northern right-of-way of Pinehill Drive, running thence with the northern right-of-way of Pinehill Drive north 81° 13' 44" west 62.99 feet to a point and north 88° 05' 44" west 834.72 feet to the point and place of beginning, containing 4.469 acres±, and being all of Block 4633, Lot 139 and part of Lot 140.

Section 2. This Ordinance is adopted after approval of the site plan entitled Karl A. Stimpson and Karl Stimpson Builders, Inc., 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 A. Stimpson and 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 Karl A. Stimpson and Karl Stimpson Builders, Inc. 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 A. Stimpson and Karl Stimpson Builders, Inc. (Zoning Docket F-1416). 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 (Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; and Services, Business B; and Recreational Services, 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 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 have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  - b. 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 and make all road improvements and dedications of rights-of-way along Yadkinville Road in accordance with North Carolina Department of Transportation requirements and specifications.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Any storm water management devices shall be installed.

- **OTHER REQUIREMENTS**

- a. A total of one (1) freestanding monument type ground sign with a maximum copy area of thirty-six (36) square feet with a maximum height of six (6) feet or two freestanding monument type ground signs with a maximum copy area of eighteen (18) square feet with a maximum height of six (6) feet each may 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.
- c. 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. **(See Exhibit "A")**

**ZONING STAFF REPORT**

**DOCKET #** F-1416  
**STAFF:** Suzy Gallaway

Petitioner(s): Karl Stimpson  
Ownership: Same

**REQUEST**

From: LB-S Limited Business District (Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; and Services, Business B)  
To: LB-S Limited Business District (Offices, Miscellaneous; Professional Office; Medical and Surgical Offices; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; Services, Business B; and Recreation Services, Indoor)

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

Acreage: 4.47 acres

**LOCATION:**

Street: Southeast corner of Yadkinville Road and Pfaff Lane along Pinehill Drive.  
Jurisdiction: Forsyth County.

**SITE PLAN**

Proposed Use: Multiple commercial uses including the addition of Recreation Services, Indoor  
Square Footage: 23,037 square feet total in several buildings  
Building Height: Single Story  
Parking: Required: 70 Spaces; Proposed: 90 Spaces  
Bufferyard Requirements: Type II buffer required adjacent to single family residentially zoned properties. Thirty foot-wide undisturbed buffer proposed adjacent to Pinehill Drive and Pfaff Lane along southern and western property lines, respectively. A fifteen foot (15') wide buffer is proposed along the eastern property line.  
Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

**PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Commercial buildings as shown on current site plan.

Adjacent Uses:

North-	Shopping Center, zoned HB-S.
East-	Single family homes, zoned RS-9.
South-	Single family homes, zoned RS-9.
West-	Single family homes, zoned RS-9.



## **GENERAL AREA**

Character/Maintenance: Mixture. This area contains a mixture of older homes. Across Yadkinville Road are two shopping centers generally well maintained.

Development Pace: Moderate

## **HISTORY**

Relevant Zoning Cases:

1. F-1395; RS-9 to LB-S (Food or Drug Store); withdrawn at the Planning Board November 13, 2003; southwest corner of Yadkinville Road and Spicewood Drive; 1.68 acres; staff recommended denial.
2. F-1360; HB-S (Multiple Business Uses) to HB-S (Multiple Business Uses; addition of Car Wash); approved March 11, 2002; north side of Yadkinville Road east of Transou Road; 1.78 acres; Planning Board and staff recommended approval.
3. F-1341; LB-S to Site Plan Amendment; approved June 25, 2001; southeast corner of Yadkinville Road and Pfaff Lane along Pinehill Drive (current site); 4.47 acres; Planning Board and staff recommended approval.
4. F-881; R-6 (comparable to RS-20) to B-2-S (Multiple Business and Office Uses); approved August 22, 1988; southeast corner of Yadkinville Road and Pfaff Lane along Pinehill Drive (current Site); 4.47 acres; Planning Board and staff recommended approval.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Moderate. Except for buffer adjacent to Pinehill Drive, most existing scrub trees on site will be removed for new development.

Topography: Property is graded and is relatively flat with a slight slope downward toward the northeast. A steep, twelve to fifteen foot high cut slope is located along the southern property line.

## **TRANSPORTATION**

Direct Access to Site: Yadkinville Road.

Street Classification: Major Thoroughfare.

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

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

Transou Road between Balsom Road and Yadkinville Road = 3,600/11,100

Trip Generation/Existing Zoning: LB-S: 2,370/1,000 x 265.21 (Bank w/Drive Through Trip Rate) = 629 trips + 20,677/1000 x 40.67 (Specialty Center Retail Trip Rate) = 840 trips; Total Trips per Day = 1469

Trip Generation/Proposed Zoning: LB-S: Same as existing

Planned Road Improvements: Yadkinville Road from Reynolda Road to Northern Beltway; from 2 lanes to 3 lanes; 2021-2025

### **CONFORMITY TO PLANS**

GMP Area (*Legacy*): Suburban Neighborhoods Area located within the Municipal Services Area.

Relevant Comprehensive Plan Recommendation(s): The Suburban Neighborhoods Area is appropriate for future commercial, residential and industrial development and much of the future development should occur in this area.

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

### **ANALYSIS**

The proposed rezoning is a request to add the use “Recreation Services, Indoor” to the previously approved site plan for the existing LB-S zoned property. This property was first approved for a mixture of retail and office uses in 1988. Except for two recently constructed office buildings totaling 5,407 sf located in the western end of the tract, the largest portion of the property has remained undeveloped. In 1995 the property was reclassified under the UDO from the former B-2-S zoning district to LB-S and retained the same array of commercial uses which excludes convenience stores. The current site plan shows the same amount of total building square footage as the original site plan, approximately 23,000 sf.

According to previous staff analyses, the main site plan consideration was to keep an appropriate vegetative and topographic buffer between the commercial development and adjacent residential properties located south, east, and west of the site. Planning staff believes that the current site plan adequately addresses this concern by maintaining an existing undisturbed buffer along the southern and western property lines. Additionally, the developer proposes a seventy foot building setback from the eastern property line in addition to the required type II bufferyard. The existing buildings are of a residential character that is complementary to the surrounding residential properties. Staff has recommended a condition as part of this rezoning request that all new buildings be of the same character in regards to brick and roof pitch.

Staff believes the addition of the “Recreation Services, Indoor” is in keeping with the originally approved character and intensity of the commercial center. In other respects Planning staff considers the proposed site plan to be generally consistent with the original plan and therefore recommends approval.

### **FINDINGS**

1. The proposed rezoning request adds the use “Recreation Services, Indoor” to the original list of uses and maintains the same overall building square footage as the original B-2-S zoning approved in 1988.

2. The original site plan requirement to provide an undisturbed vegetative buffer along the southern and western property line has been retained.
3. Staff believes that the requested use “Recreation Services, Indoor” and retention of the previously approved design are in keeping with the character and intensity of the original approval.
4. All other pertinent site plan conditions from the original approval have been retained.

### **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

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

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  - a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  - b. 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 and make all road improvements and dedications of rights-of-way along Yadkinville Road in accordance with North Carolina Department of Transportation requirements and specifications.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Any storm water management devices shall be installed.
- **OTHER REQUIREMENTS**
  - a. A total of one (1) freestanding monument type ground sign with a maximum copy area of thirty-six (36) square feet with a maximum height of six (6) feet or two freestanding monument type ground signs with a maximum copy area of eighteen (18) square feet with a maximum height of six (6) feet each may 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.
  - c. 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. **(See Exhibit “A”)**

### **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: Jerry Clark

VOTE:

FOR: Clark, Eickmeyer, Folan, King, Lambe, Mullican, Norwood, Smith

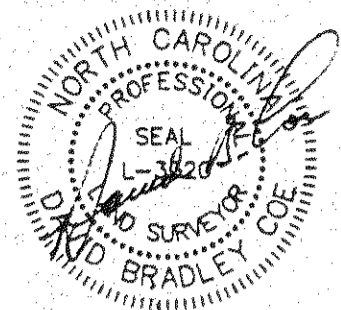
AGAINST: None

EXCUSED: None

According to information furnished on June 7, 2004 by the Office of the Tax Assessor, the subject property was in the name of Karl Stimpson Builders, Inc.

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A. Paul Norby, AICP  
Director of Planning



THIS IS NOT A BOUNDARY SURVEY  
SITE PLAN FROM EXISTING DEEDS  
AND FIELD LOCATIONS - NOT  
FOR USE IN CONVEYANCES OR  
FOR RECORDATION.

TOPO DIGITIZED FROM AERIALS

EXISTING USES:  
Offices: Offices, Retail Stores or Shops  
Services: Laundries, Dry Cleaning or Linen Services  
Medical, Dental, or Related Offices, Banking,  
(no convenience stores permitted)

PROPOSED ADDITIONAL USE:  
RECREATIONAL SERVICES, INDOOR

OFF-STREET PARKING

Proposed Use Physical Fitness Facility  
Parking Calculation: 1 Spaces \ 200 sq.ft.  
Required Parking: 16 spaces  
Parking Provided: 18 spaces 2 handicap

OFF-STREET PARKING

Proposed Use Banking  
Parking Calculation: 1 Spaces \ 200 sq.ft.  
Required Parking: 12 spaces  
Parking Provided: 13 spaces 2 handicap

OFF-STREET PARKING

Proposed Use Medical or Dental  
Parking Calculation: 1 Spaces \ 200 sq.ft.  
Required Parking: 16 spaces  
Parking Provided: 22 spaces 2 handicap

ZONING  
Existing Zoning: LB-S  
Proposed Zoning: LB-S  
Type of Review Requested: REZONING  
(i.e. Rezoning, Planning Board Review,  
Preliminary Subdivision Approval, etc.)

SITE SIZE AND COVERAGES  
Total Acreage: 4.469 Ac. +/-  
Site Coverages:  
Building to Land 12 %  
Pavement to Land 26 %  
Open Space 60 %  
TOTAL 100 %  
Building Square Footage: \_\_\_\_\_ Sq. Ft.  
Building Height \_\_\_\_\_

INFRASTRUCTURE

Water: PUBLIC  
Sewer: PUBLIC  
Streets: PUBLIC

OFF-STREET PARKING

Proposed Use Retail  
Parking Calculation: 1 Spaces \ 250 sq.ft.  
Required Parking: 35 spaces  
Parking Provided: 36 spaces 4 HANDICAP

BUFFERYARDS

Adjoining Zoning: RS9\LB-S  
Type Required: TYPE II  
Width Provided: 15'  
Fence Option: yes X no

DEVELOPER TO INCLUDE LOW (2-3' HEIGHT)  
EARTHEN BERM WITH PLANTINGS ON TOP AS  
PART OF STREETYARD BUFFER ON PROPOSED PARKING AREAS

DRIVE IS PLACED TO  
ALIGN WITH EXISTING  
ENTRANCE TO SHOPPING  
CENTER ACROSS THE STREET

TRANSOU DRIVE 60' R/W (public)

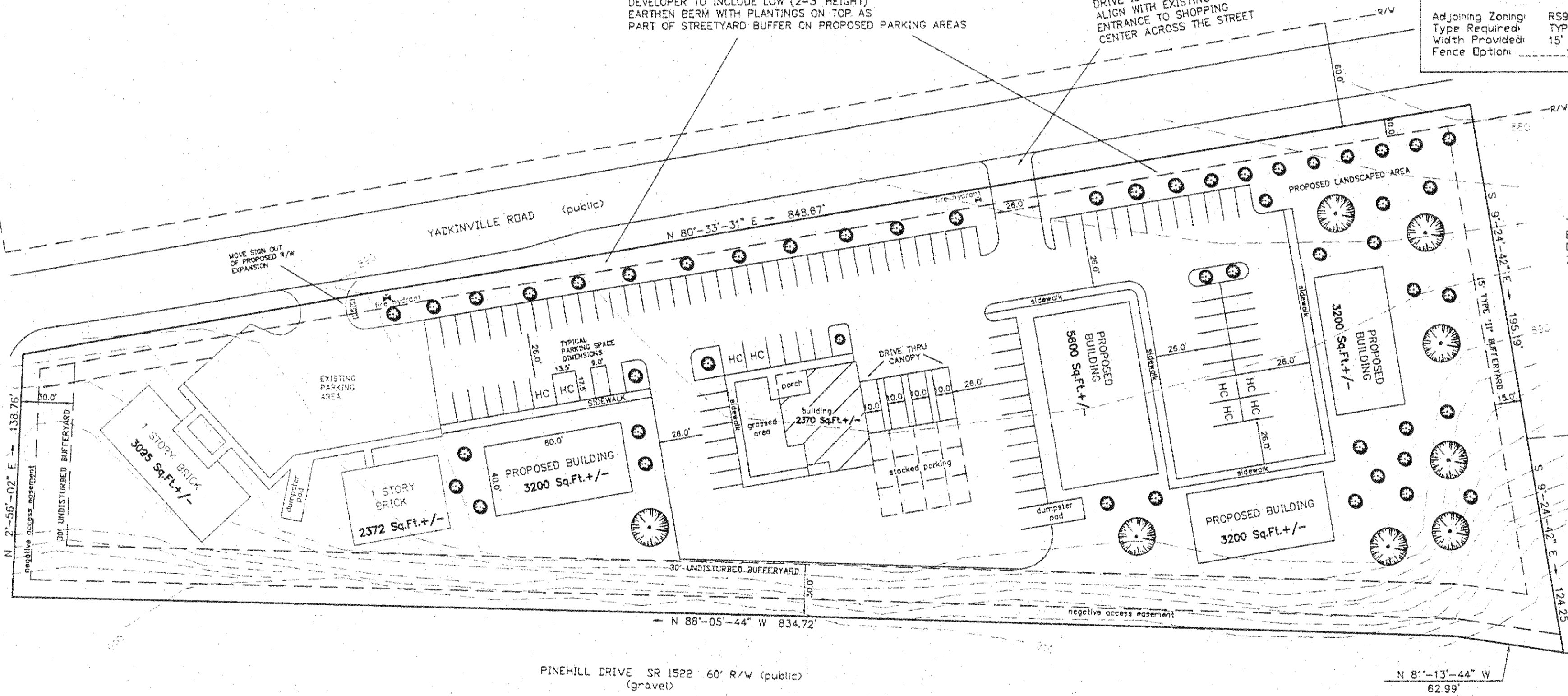
PFATF LANE SR 1435 60' R/W (public) (gravel)

YADKINVILLE ROAD (public)

PINEHILL DRIVE SR 1522 60' R/W (public) (gravel)

TAX LOT 64H  
ESTELLE NANCE  
DB 1031 PG 153  
ZONED RS9\LB-S

P/O TAX LOT 140

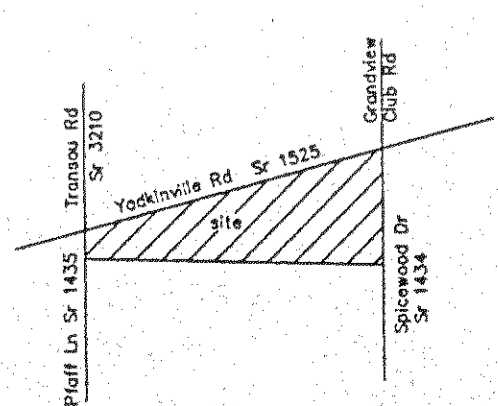


NOTE: MAP REVISED 24 MAY 2004  
PER LANNY GOUGH COMMENTS  
FOR ADDITIONAL USE.

MAP REVISED 2 MAY 2001  
PER COMMENTS FROM GLEN SIMMONS

F-1416

VICINITY scale 1"=2000'



owner/petitioner:  
Karl Stimpson Builders  
P.O. Box 26  
Pffattown, NC 27040  
phone: 924-1392

LEGEND

- Line Surveyed (or calculated) ————
- Line Not Surveyed - - - - -
- Iron Found ○
- Iron Set ⊙
- Point not monumented ⊕
- Stream or Creek ————
- Concrete monument ■
- Power Pole ⊕
- Utility Easement UE
- Sanitary Sewer Easement SSE



MAP OF  
PFAFFTOWN VILLAGE

1" = 50'	AREA BY COORDINATES
DATE 20 MAR 2001	PRECISION 1 : 10,000 +
FORSYTH CO. NC. VIENNA TOWNSHIP TAX MAP 594874 BLOCK 4633 TAX LOTS 139 & 140 owner: KARL STIMPSON BUILDERS, INC. DB 1979 PG 3249\DB 1633 PG 2469	
COE FORESTRY & SURVEYING P.O. BOX 36 WALLBURG, NC 27373 (336) 769-4673	JOB # 200147B pro-survey 200147

David