



**DOCKET #:** F1341

**PROPOSED ZONING:**  
Site Plan Amendment

**EXISTING ZONING:**  
LB-S (Multiple Office Uses)

**PETITIONER:**  
Karl Stimpson

**SCALE:** 1" represents 200'

**STAFF:** Simmons

**GMA:** 4A

**ACRE(S):** 4.469

**MAP(S):** 594874



May 23, 2001

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

RE: ZONING MAP AMENDMENT F-1341

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:-**

Zoning map amendment of Karl Stimpson

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-**

**SUMMARY OF INFORMATION:-**

Zoning map amendment of Karl Stimpson from LB-S (Office, Miscellaneous; Professional Office; Medical and Surgical Offices; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; and Services, Business B) to Site Plan Amendment: property is located at the southeast corner of Yadkinville Road and Pfaff Lane along Pinehill Drive (Zoning Docket F-1341).

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

**ATTACHMENTS:-**     YES         NO

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

—

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Karl Stimpson, Docket F-1341

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 (Office, Miscellaneous; Professional Office; Medical and Surgical Offices; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; and Services, Business B) to Site Plan Amendment 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 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.

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 (Zoning Docket F-1341). 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 (Office, Miscellaneous; Professional Office; Medical and Surgical Offices; Retail Store, Specialty or Miscellaneous; Banking and Financial Services; and Services, Business B - Site Plan Amendment), 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:

**C 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.

**C PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. Developer shall make all road improvements and dedications of rights-of-way along Yadkinville Road in accordance with North Carolina Department of Transportation requirements and specifications.
- b. Developer shall dedicate any right-of-way required by the North Carolina Department of Transportation.

**C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

- a. Any storm water management devices shall be installed.

**C OTHER REQUIREMENTS**

- a. A total of one (1) freestanding monument type ground sign with a maximum copy area of thirty-six (36) square feet or two freestanding monument type ground signs with a maximum copy area of eighteen (18) square feet each may be permitted along the entire frontage of Yadkinville Road.
- b. Convenience Store as a use defined in the UDO shall not be permitted.
- c. All dumpsters shall be screened using materials and colors which match buildings on the site.

## **ZONING STAFF REPORT**

**DOCKET #** F-1341  
**STAFF:** Glenn Simmons

Petitioner(s): Karl Stimpson  
Ownership: Same

### **REQUEST**

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

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:** Various small to medium size retail and office uses.  
**Square Footage:** Total building square footage is 23,037 sf (including two existing buildings).  
**Building Height:** One story.  
**Parking:** Required: 70 spaces (average ratio of one space per 250 sf); 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:** Two small office buildings and vacant land.

**Adjacent Uses:**

- North - Across Yadkinville Road is the Pfafftown Post Office zoned LB and a Nursery, Lawn, and Garden Supply Store, Retail zoned HB-S.
- Northeast - Across Yadkinville Road is Grandview Shopping Center zoned LB.
- East - Vacant, lightly wooded land and single family residences, all zoned RS-9.



- South - Across Pinehill Drive are single family residences zoned RS-9.
- West - Across Pfaff Lane are single family residences zoned RS-9.
- Northwest - Diagonally northwest of this site is vacant wooded property zoned RS-9.

## **GENERAL AREA**

Character/Maintenance: This area contains a mixture of older homes. Across Yadkinville Road are a newer and an older shopping center generally well maintained.

Development Pace: Moderate.

## **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 pregraded 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 = 9,900/11,500.

Trip Generation/Existing Zoning: LB-S

23,165/1,000 x 0.40 (Specialty Center) = 942 trips per day

Trip Generation/Proposed Zoning: LB-S (Site Plan Amendment)

2,370/1,000 x 265.21 (Drive Through Bank) = 629 trips per day

20,667/1,000 x 40.67 (Specialty Center) = 840 trips per day

1,470 total trips per day

Sight Distance: Good.

## **HISTORY**

Relevant Zoning Cases:

1. F-1207; LB-S (Multiple Business Uses) to Site Plan Amendment; withdrawn July 10, 1997; current site located on south side of Yadkinville Road east of Pfaff Lane; 4.47 acres. Planning staff recommend a qualified approval with various staff requested changes.
2. F-1164; HB-S (Multiple Business Uses) to HB-S (Multiple Business Uses plus Transmission Tower); approved August 12, 1996; this property is located across Yadkinville Road from the current site and is part of the Pfafftown Shopping Center. Planning Board and staff recommended approval.

3. F-1136; LB to HB-S (Multiple Business Uses); approved November 27, 1995; this was the same property as F-1164. This was the original rezoning of this property which was needed to make two uses on the shopping center property (an indoor shooting range and an outdoor stone vendor) conforming. One of those uses, the indoor shooting range, wanted to expand and the original UDO conversion zoning of LB for this property did not allow that use. Planning Board and staff recommended approval.
4. F-1124; LB to HB; withdrawn by Planning Board July 13, 1995; this was a general use petition to rezone the entire Pfafftown Shopping Center. After much neighborhood opposition to general use zoning for that property, the owner withdrew this petition and refilled for special use zoning, F-1136.
5. F-881; R-6 (comparable to RS-20) to B-2-S (Multiple business and office uses); approved August 22, 1988; this is the most relevant rezoning history for this site since it was the same property as in the current petition located on the south side of Yadkinville Road east of Pfaff Lane; 4.47 acres; Planning Board and staff recommended approval.

### **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: None.

### **ANALYSIS**

The proposed site plan amendment is a request to modify 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 specifically excludes convenience stores.

The petitioner first submitted the current site plan for consideration as a minor "staff change". Although the current site plan shows the same amount of total building square footage as the original site plan, approximately 23,000 sf, Planning staff believed that the proposed drive-through bank warranted additional public notification and review. The revised site plan also shows buildings located closer to the eastern property line than shown on the original site plan.

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 bluff defining the southern and western property line. Additionally, the developer proposes a seventy foot building setback from the eastern property line in addition to the UDO required type II bufferyard.

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 site plan amendment maintains the same uses and same overall building square footage as the original B-2-S zoning approved in 1988.
2. Compared to the original site plan the new plan shows the addition of a drive-through bank and the location of a building closer (70 feet vs. 150 feet) to the eastern property line.
3. The original site plan requirement to provide an undisturbed vegetative buffer along the bluff defining the southern and western property line has been retained.
4. Staff believes that the proposed building development at the eastern end of the property is adequately separated from existing residential development at that location.
5. 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:

#### **C 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.

#### **C PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. Developer shall make all road improvements and dedications of rights-of-way along Yadkinville Road in accordance with North Carolina Department of Transportation requirements and specifications.
- b. Developer shall dedicate any right-of-way required by the North Carolina Department of Transportation.

**C PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

- a. Any storm water management devices shall be installed.

**C OTHER REQUIREMENTS**

- a. A total of one (1) freestanding monument type ground sign with a maximum copy area of thirty-six (36) square feet or two freestanding monument type ground signs with a maximum copy area of eighteen (18) square feet each may be permitted along the entire frontage of Yadkinville Road.
- b. Convenience Store as a use defined in the UDO shall not be permitted.
- c. All dumpsters shall be screened using materials and colors which match buildings on the site.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Johnson moved approval of the site plan amendment, certifies that the site plan meets all code requirements, and recommends staff conditions

SECOND: Doyle

VOTE:

FOR: Doyle, Johnson, King, Powell, Schroeder

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Karl Stimpson Builders, Inc. as of April 9, 2001.

---

A. Paul Norby, AICP  
Director of Planning