



**DOCKET #:** F1317

**PROPOSED ZONING:**  
NSB-S (Multiple  
Business Uses)

**EXISTING ZONING:**  
NSB-S (Multiple  
Business Uses)

**PETITIONER:**  
Triad Holding Company

**SCALE:** 1" represents 200'

**STAFF:** D. Reed

**GMA:** 4A

**ACRE(S):** 1.37

**MAP(S):** 672846

July 19, 2000

Triad Holding Company, LLC  
2006 Guilford Road  
Jamestown, NC 27282-8566

RE: ZONING MAP AMENDMENT F-1317

Dear Sirs:

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 Triad Holding Company

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

**SUMMARY OF INFORMATION:-**

Zoning map amendment of Triad Holding Company from NSB-S [Convenience Store; Car Wash; Restaurant (with drive-through service); and Motor Vehicle, Repair and Maintenance] to NSB-S [Car Wash; ABC Store (Liquor); Arts and Crafts Studio; Building Materials Supply; Convenience Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn, and Garden Supply Store (Retail); Restaurant (without drive-through service); Banking and Financial Services; Medical and Surgical Offices; Motor Vehicle Repair and Maintenance; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Personal; Veterinary Services; Recreation Services, Indoor; Retail Store, Specialty or Miscellaneous]: property is located on the northeast corner of I-40 and Union Cross Road (Zoning Docket F-1317).

After consideration, the Planning Board recommended approval of the zoning map amendment, certified that the site plan meets all code requirements and recommended staff conditions.

**ATTACHMENTS:-**     YES         NO

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

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COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Triad Holding Company, Docket  
F-1317

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 NSB-S [Convenience Store; Car Wash; Restaurant (with drive-through service); and Motor Vehicle, Repair and Maintenance] to NSB-S [Car Wash; ABC Store (Liquor); Arts and Crafts Studio; Building Materials Supply; Convenience Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn, and Garden Supply Store (Retail); Restaurant (without drive-through service); Banking and Financial Services; Medical and Surgical Offices; Motor Vehicle Repair and Maintenance; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Personal; Veterinary Services; Recreation Services, Indoor; Retail Store, Specialty or Miscellaneous] the zoning classification of the following described property:

BEGINNING at the southeast corner of the Union Cross Station, LLC, as recorded in Deed Book 1982, Page 781, and in the northern right-of-way of Interstate 40 off ramp; running thence with said off ramp north 70° 38' 44" west 138.53 feet to an existing iron pipe; thence continuing with said ramp north 30° 45' 14" west 72.92 feet to an existing iron pipe in the eastern right-of-way of Union Cross Road; thence with said Union Cross road right-of-way north 19° 09' 22" east 261.86 feet to a mark in the curb; thence with said curb south 70° 52' 11" east 172.01 feet to a mark in curb; thence on a curve to the right, said curve having a radius of 30.00 feet and a chord

bearing and distance of south 25° 05' 10" east 43.05 feet to an existing iron pipe; thence with said Union Cross Station, LLC, south 20° 44' 45" west 278.64 feet to an existing iron pipe, the point and place of beginning. Containing 1.374 acres more or less.

Said property being Tax Lot 121F, Tax Block 5632 as shown on the Forsyth County Tax Maps.

Section 2. This Ordinance is adopted after approval of the site plan entitled SavWay-Union Cross Road, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to Triad Holding Company.

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 SavWay-Union Cross Road. 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 Triad Holding Company (Zoning Docket F-1317). 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 NSB-S [Car Wash; ABC Store (Liquor); Arts and Crafts Studio; Building Materials Supply; Convenience Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn, and Garden Supply Store (Retail); Restaurant (without drive-through service); Banking and Financial Services; Medical and Surgical Offices; Motor Vehicle Repair and Maintenance; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Personal; Veterinary Services; Recreation Services, Indoor; Retail Store, Specialty or Miscellaneous], 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 NSB-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 OCCUPANCY PERMITS**
  - a. A ten (10) foot landscaped streetyard shall be installed on the three sides of this property adjoining all roads and internal drives except along the frontage of the property on the Interstate 40 ramp. Along the frontage on this ramp, a twenty (20) foot streetyard shall be installed as required in the Thoroughfare Overlay (TO) District in the UDO.

- **OTHER REQUIREMENTS**

- a. As determined by the Forsyth County Erosion Control Officer, this property is not located within the Abbotts Creek WS III State Regulated Watershed.
- b. The only access to this site shall be on the private internal drives within the shopping center. The first driveway on the entrance road to this site off Union Cross Road shall be located opposite the Burger King driveway as shown on the site plan. No direct access is permitted on Union Cross Road.
- c. Two (2) freestanding ground signs shall be permitted on Union Cross Road for this entire property. Said signs shall be limited to monument types with a maximum height of five (5) feet and a maximum copy area of twenty (20) square feet.

## **ZONING STAFF REPORT**

**DOCKET #** F-1317  
**STAFF:** David Reed

Petitioner(s): Triad Holding Company  
Ownership: Same

### **REQUEST**

From: NSB-S Neighborhood Shopping Center Business District [Convenience Store; Car Wash; Restaurant (with drive-through service); and Motor Vehicle, Repair and Maintenance]  
To: NSB-S Neighborhood Shopping Center Business District [Car Wash; ABC Store (Liquor); Arts and Crafts Studio; Building Materials Supply; Convenience Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn, and Garden Supply Store (Retail); Restaurant (without drive-through service); Banking and Financial Services; Medical and Surgical Offices; Motor Vehicle Repair and Maintenance; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Personal; Veterinary Services; Recreation Services, Indoor; Retail Store, Specialty or Miscellaneous]

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

Acreage: 1.374 acres

### **LOCATION**

Street: Northeast corner of I-40 and Union Cross Road.  
Jurisdiction: Forsyth County.

### **SITE PLAN**

Proposed Use: Multiple business uses including Convenience Store and Car Wash.  
Square Footage: 6,329 square feet (existing and proposed).  
Building Height: Single Story.  
Parking: Required: 34 spaces; Proposed: 37 spaces.  
Vehicular Use Landscaping Standards Requirements: Motor Vehicle Surface Area landscaping and Thoroughfare Overlay buffers are required.



## **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Convenience Store with automated car wash.

Adjacent Uses:

North - Shopping Center zoned NSB-S.

East - Shopping Center zoned NSB-S.

South - I-40 right-of-way.

West - Single family homes zoned RS-9.

## **GENERAL AREA**

Character/Maintenance: Well maintained single family homes and neighborhood shopping center uses.

Development Pace: Slow.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Minor.

Topography: The site has been graded and is at the same elevation as the adjoining shopping center and Union Cross Road.

Vegetation/habitat: Site is cleared and partially developed.

Water Supply Watershed? The site is on the west side of Union Cross Road which generally is the western ridge line of the Abbott's Creek Watershed. However, a special survey was done for this site and showed it drains west across Union Cross Road to Fiddlers Creek and is therefore not in the Abbotts Creek watershed.

## **TRANSPORTATION**

Direct Access to Site: Union Cross Shopping Center via Union Cross Road.

Street Classification: Union Cross Road - major thoroughfare; I-40 - freeway.

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

Union Cross Road from Glenn Hi Road to I-40 - 12,000/12,500

Union Cross Road from I-40 to Old Salem Road - 13,000/12,500

I-40 from US 311 to NC 66 - 51,000/54,000

Trip Generation Existing:

Convenience Store with Gas Pumps and Car Wash:  $10 \text{ Gas Pumps} \times 152.84 \text{ (trip rate per gas pump)} = 1,528$

Trip Generation Approved but Not Yet Built:

Restaurant with Drive-Through:  $2,774 \text{ sf} / 1,000 \text{ sf} = 2.774 \times 496.12 \text{ (trip rate)} = 1,376$

3- Stall Self Service Car Wash:  $3 \times 108 \text{ (trip rate per stall)} = 324$

Trip Generation Proposed:

Retail Store, Speciality or Miscellaneous:  $2,774 \text{ sf} / 1,000 \text{ sf} = 2.774 \times 40.67 \text{ (trip rate for retail specialty center)} = 113$

2- Stall Self Service Car Wash =  $2 \text{ stalls} \times 108 = 216$

Total existing and proposed:  $1,528 + 324 + 113 + 216 = 2,181$

Planned Road Improvements: None.  
Sight Distance: Good.  
Interior Streets: Private.  
Transit: Transit is not available at this time.  
Bike: Route 16 along Sedge Garden and Old Salem Roads

## **HISTORY**

Relevant Zoning Cases:

1. F-1253; from NSB-S (Multiple Business Uses - TWO PHASE) to NSB-S [Convenience Store; Car Wash; Restaurant (with drive-through service); and Motor Vehicle, Repair and Maintenance]; approved January 11, 1999; northeast corner of Union Cross Road and I-40 (current site); 1.34 acres; Planning Board and staff recommended approval.
2. F-1024; R-5 to B-3-S (Shopping Center - TWO PHASE) (converted to NSB-S in the UDO); approved April 27, 1992; multiple business uses were approved for TWO PHASE outparcels; the current site was one of the outparcels; Planning Board and staff recommended approval.

## **CONFORMITY TO PLANS**

GMP Area (*Vision 2005*): Area 4A: Short-Range Growth.

Relevant Comprehensive Plan Recommendation(s): The objectives for the growth area in *Vision 2005* include provision of adequate roads, sewer and other services in support of development, and clustering commercial services.

Area Plan/Development Guide: *Interstate 40/Union Cross Development Guide* (1992).

Relevant Development Guide Recommendation(s): The petitioner site and surrounding land at the interchange is designed for use as a Neighborhood Shopping Center

## **ANALYSIS**

The subject site was originally part of a shopping center approved on April 27, 1992 (zoning docket F-1024). The site was rezoned again on January 11, 1999, to allow some additional uses to the site, including Motor Vehicle Repair and Maintenance and Car Wash. The convenience store with automated car wash was developed on a portion of the site and the remainder of the site is proposed to be developed with a free-standing, self-operating car wash and additional retail development.

Access to the proposed development and all other outparcels is limited to private drives internal to the shopping center complex. No direct access is permitted via Union Cross Road. One of the access points to this site will be located across from Burger King on the access drive going into the shopping center from Union Cross Road. The site also must be surrounded on all sides by a

10' streetyard, including a 20' streetyard required under the Thoroughfare Overlay District requirements along the Interstate 40 ramp. Other restrictions in the original zoning include a maximum five-foot high monument sign with a maximum of 20 square feet of copy area for this outparcel and all other outparcel sites. Since there are only two structures proposed, staff will recommend only two freestanding monument signs on the property.

The current development proposal requests similar uses to those approved in the two previous rezonings of the property. If the shopping center had come in for rezoning under the UDO, the use would have been "Shopping Center" which would have permitted all uses in the NSB district. Adding the proposed uses will provide the shopping center with the flexibility to have different tenants without going back through the rezoning process again.

The development proposal meets all of the conditions of the original rezoning petition for an outparcel in the shopping center. The rezoning proposal also meets the recommendations in both *Vision 2005* and the *Interstate 40/Union Cross Development Guide*. Finally, the project site will be required to develop under UDO development standards.

## **FINDINGS**

1. The rezoning meets the recommendations in both the comprehensive plan and the *Interstate 40/Union Cross Development Guide*.
2. The rezoning proposal meets all the conditions of the original rezoning petition for an outparcel in this shopping center.
3. If this property was rezoned for a shopping center under the UDO, all of the uses would be permitted under the use "Shopping Center" and rezoning would not be required.

## **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 OCCUPANCY PERMITS**
  - a. A ten (10) foot landscaped streetyard shall be installed on the three sides of this property adjoining all roads and internal drives except along the frontage of the property on the Interstate 40 ramp. Along the frontage on this ramp, a twenty (20) foot streetyard shall be installed as required in the Thoroughfare Overlay (TO) District in the UDO.

- **OTHER REQUIREMENTS**

- a. As determined by the Forsyth County Erosion Control Officer, this property is not located within the Abbotts Creek WS III State Regulated Watershed.
- b. The only access to this site shall be on the private internal drives within the shopping center. The first driveway on the entrance road to this site off Union Cross Road shall be located opposite the Burger King driveway as shown on the site plan. No direct access is permitted on Union Cross Road.
- c. Two (2) freestanding ground signs shall be permitted on Union Cross Road for this entire property. Said signs shall be limited to monument types with a maximum height of five (5) feet and a maximum copy area of twenty (20) square feet.

[*For information purposes only:* The petitioner's site is designated as part of the Future Growth Area in the *Legacy* Comprehensive Plan. The plan calls for preparation of an area plan for the Abbotts Creek watershed which is just getting underway. The plan will emphasize "conservation development". That concept recognizes the development potential of this area but calls for application of new planning tools like open space subdivisions and village commercial centers along with watershed protection measures and farmland preservation initiatives to conserve some of the open space and rural character while allowing for significant residential and non-residential development.]

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: James Rousseau moved approval of the zoning map amendment.

SECOND: John Bost

VOTE:

FOR: Bost, King, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: James Rousseau certified that the site plan meets all code requirements and recommended staff conditions.

SECOND: John Bost

VOTE:

FOR: Bost, King, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Triad Holding Company as of May 16, 2000.

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A. Paul Norby, AICP  
Director of Planning