



DOCKET #: W3165
(Continued from 1/10/2013)

PROPOSED ZONING:
GO-S

EXISTING ZONING:
LO-S and RS9

PETITIONER:
Masonic Temple of W.S. Inc.
for property owned by Efr
Properties LLC and Equity
Trust Company

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRES: 2.67

**NEAREST
BLDG:** 21' west

MAP(S): 606850



**CITY-COUNTY PLANNING BOARD
DRAFT STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3165		
Staff	Gary Roberts, Jr. AICP		
Petitioner(s)	The Masonic Temple of Winston-Salem, Inc		
Owner(s)	Efr Properties LLC and Equity Trust Company		
Subject Property	PIN #s 6805-60-9962 and 6805-70-1908		
Address	4537 and 4529 Country Club Road		
Type of Request	Special Use rezoning from LO-S and RS9 to GO-S		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LO-S [Limited Office District (Offices)] and RS9 (Residential, Single Family District; 9,000 sf minimum lot size) to GO-S (General Office District Special Use zoning). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Club or Lodge; and Offices 		
Continuance History	The subject request was continued from the January 10, 2013 Planning Board meeting to the February 14 meeting.		
Neighborhood Contact/Meeting	The petitioner held a neighborhood meeting on Monday, January 7 at 7:00 p.m. at South Fork recreation center. Attached are the minutes from that meeting as submitted by the petitioner (Attachment A).		
Zoning District Purpose Statement	The GO District is primarily intended to accommodate high intensity office uses and supporting services. The district is established to provide locations for employment within GMAs (Growth Management Areas) 1 (Center Cities), and 2 (Urban Neighborhoods), and Metro Activity Centers, and 3 (Suburban Neighborhoods) with access to thoroughfares.		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	The site is located within GMA 3 along a major thoroughfare in an area with a variety of office related development.		
GENERAL SITE INFORMATION			
Location	North side of Country Club Road, east of Old Vineyard Road		
Jurisdiction	City of Winston-Salem		
Ward(s)	West		
Site Acreage	± 2.67 acres		
Current Land Use	One single family home is currently located on the subject property.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS9	Single family homes
	East	RS9	Single family home
	South	RS9 & LO-S	Single family home and offices
	West	RS9	Neighborhood scale church

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?			
	The proposed uses of Club or Lodge and Offices (at the scale as shown on the site plan) are compatible with the uses permitted on the adjacent LO-S and RS9 zoned properties.			
Physical Characteristics	The site has a gentle slope downward toward the northwest.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Stormwater/ Drainage	The site plan includes a stormwater management facility in the northwest corner of the site. The City of Winston-Salem Stormwater/Erosion Control Division staff has recommended a stormwater condition that would provide a higher level of stormwater control than the minimum ordinance requirements.			
Watershed and Overlay Districts	The site is not located within a water supply watershed.			
Analysis of General Site Information	The site includes no regulatory floodplains, steep slopes, or watersheds and appears to be suitable for the proposed improvements. The petitioner is agreeable to an enhanced stormwater condition.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Country Club Road	Major Thoroughfare	308'	16,000	15,800
Proposed Access Point(s)	The site will have two access points onto Country Club Road.			
Planned Road Improvements	The <i>Comprehensive Transportation Plan</i> indicates that Country Club Road is recommended as a 3-lane section with wide outside lanes and sidewalks.			
Trip Generation - Existing/Proposed	<p><u>Existing Zoning: LO-S & RS9</u> 26,250 sf / 1,000 x 11.01 (General Office Building Trip Rate) = 289 Trips per Day + .53 acre x 43,560 / 9,000 = 2 units x 9.57 (SFR Trip Rate) = 19 Trips per Day = 308 Total Trips per Day</p> <p><u>Proposed Zoning: GO-S</u> 17,550 sf / 1,000 x 11.01 (General Office Building Trip Rate) = 193 Trips per Day</p>			
Sidewalks	Sidewalks are located along the southern side of Country Club Road. The required sidewalk along the subject property frontage is shown on the proposed site plan.			
Transit	Route 12 runs along Country Club Road.			
Connectivity	Planning staff recommends cross access easements be provided to the adjacent properties to the east and west.			
Traffic Impact Study (TIS)	No TIS is required.			

Analysis of Site Access and Transportation Information	The site has good access onto a major thoroughfare with two driveways and three lateral sidewalk connections. The anticipated traffic volume from the proposed rezoning is less than what would be expected under the current zoning. Planning staff recommends cross access easements be provided to the adjacent properties to the east and west.
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. • Minimize the visual prominence of parked vehicles to create more aesthetically pleasing sites and to increase storefront or office visibility. • Reduce the visual impact of large signs throughout the city and county.
Relevant Area Plan(s)	<i>West Suburban Area Plan (2011)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The subject property is shown on the Proposed Land Use map for office use. • Office development on Country Club Road should be residentially-scaled and designed to complement the existing residential character of the surrounding area.
Addressing	The address for the proposed new building would be 4537 Country Club Road.
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 Legacy?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The proposed LO-S and RS9 to GO-S request would permit the construction of a 17,750 square foot, one story building which is proposed for Club or Lodge use. The reason for requesting the more intense GO district over the LO district is because this use is not allowed in the LO district.</p> <p>The <i>West Suburban Area Plan</i> recommends office use for this portion of Country Club Road and further recommends that such development be residentially-scaled and designed to complement the residential character of the surrounding area.</p>

The approved plan for the LO-S portion of the site from 2004 included two office buildings which have not been constructed. The approved building which is closest to the single family homes to the north is three stories in height. The total approved square footage is 26,250. Therefore, the single *proposed* building is lower in height, smaller in size, and further from the adjacent single family homes than is shown on the approved plan. Staff applauds the proposed building placement (being pulled relatively close to Country Club Road) but does recommend that this front elevation provide an interesting look due to its high visibility.

The proposed GO district has a freestanding signage allowance of eight feet in height and 50 square feet in area. In consideration of the smaller scale signage permitted on the adjacent RS9 and LO-S zoned properties, staff recommends a signage condition consistent with what is permitted within the LO district which is six feet in height and 36 square feet in area.

RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2677	RS9 and LO-S to LO-S	Approved 3-1-04	Included portion of current site	2.13	Approval	Approval
W-2504	RS9 to LO-S	Approved 10-1-01	Included portion of current site	1.48	Approval	Approval

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

Building Square Footage	Square Footage		Placement on Site	
	17,550		Pulled up to Country Club Road	
Parking	Required	Proposed		Layout
	78 spaces	109 spaces		Located to the side and rear
Building Height	Maximum		Proposed	
	60'		One story	
Impervious Coverage	Maximum		Proposed	
	80%		60.4%	
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.3 (D) General Office district 			
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:		Yes	
	(B) Environmental Ord.		NA	
	(C) Subdivision Regulations		NA	

Analysis of Site Plan Compliance with UDO Requirements	<p>The proposed site plan is for a 17,750 square foot, one story building which is proposed for Club or Lodge use. The parking would be located to the side and rear of the building. The site plan meets the requirements of the UDO.</p> <p>In regard to stormwater management, the site plan approved for the site in 2004 included a condition requiring a stormwater study and the proposed impervious coverage of the site was 58%. The <i>proposed</i> site plan proposes a comparable 60.4%; however, not only has the Post-Construction Stormwater Management Ordinance been improved from the ordinance that was in place in 2004, but the specific condition noted below under Prior to Grading Permits, will provide a higher level of stormwater mitigation than is typically applied to new development.</p>
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CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
The proposed building is lower in height, smaller in size, and further from the adjacent single family homes than is shown on the approved plan.	The request would introduce GO zoning (which allows for large scale office uses) directly adjacent to single family homes.
Request would generate less traffic than what could be expected under the current zoning.	
The request is consistent with the recommendations of the <i>West Suburban Area Plan</i> and <i>Legacy</i> .	
The proposed building would front on Country Club Road with parking located to the side and rear.	

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department and NCDOT. Improvements shall include:
 - Dedication of 40' of right-of-way from the centerline of Country Club Road.
 - b. Developer shall submit a stormwater study that shall consist of providing storm water management practice(s) to treat both quality and quantity of runoff. The outlet(s) of the storm water management practice(s) shall incorporate a level spreader and a 30 foot (minimum) engineered vegetated filter strip in order to provide diffuse flow and to further protect downstream properties against any adverse impacts. No portion of the engineered filter shall be allowed to encroach into an adjacent bufferyard. Relocation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
 - a. The proposed building plans shall be in substantial conformance with the submitted elevations labeled “Exhibit A” as verified by Planning staff.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. All requirements of the City of Winston-Salem and NCDOT driveway permits shall be completed.
 - b. Freestanding signage for the subject property shall be limited to one (1) monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.
 - c. Building shall be constructed in substantial conformance with the approved building elevations.

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 W-3165

JANUARY 10, 2013

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Steve Causey, 4720 Kester Mill Road, Winston-Salem, NC 27103

- Gary has done a really good job of explaining why we are requesting this particular zoning.
- We did have a neighborhood meeting and individual lodge members have also met with some of the adjoining property owners. Minutes from that meeting had been put at Planning Board members' places and will be forwarded to City Council.
- We appreciate staff working with us on the cross access issue. That was one of the last issues.
- From day one stormwater drainage has been a concern. It's been a very high priority.
- We knew we didn't want a wet pond so we looked at other systems and settled on a level spreader system. It's probably not nailed down, but we will be working with stormwater staff to refine the plans and get the detailed construction drawings and permitting.
- We will keep working on getting more details ironed out and have a more detailed plan at the Council meeting. We may end up with some underground storage. All of this is regulated by our ordinance and manuals.
- We do know we will have to do a bit more for a stormwater plan with this situation.

Martha Martinat, 120 Sherwood Forest Road, Winston-Salem, NC 27104

- I own property directly across from this site.
- I was not very happy when this was rezoned last time because of the site and that the building was large and tall.
- I understand your staff has recommended approval strictly because it is lower and smaller.
- This is more in keeping with *Legacy* and the *West Suburban Area Plan* and I am in favor of it.

AGAINST:

Don Ashe, 131 Kerry Brook Lane, Winston-Salem, NC 27104

- My wife and I have lived here for 36 years
- This is our home which we've lived in for 36 years. We've invested heavily in our home. Water from this site goes right into our basement.
- Gary and his co-hort have worked hard to explain this to me, but I can't grasp it.
- I'm not here to oppose anything they have up there (on the site plan), but the water.
- There's got to be a better way of handling that water where it won't come down that place and drip into my basement.
- An overflow of this system will create more stress for an over stressed drainage basin.
- Even one incident would cause severe damage to our home.
- Our home could be flooded by the excess from the new construction.
- Our yard is going to stay wet all the time.
- Ground water seepage will cause the lower level of our home to become unusable.
- Excess ground water could destroy the foundation of the house.
- We'll be unable to buy insurance to cover our losses.
- There will be all sort of environmental issues such as mosquitos and mold.
- We'll need to sell our house sometime so we can move into a retirement center. We'll be unable to do so.
- Every effort to protect downstream homes from stormwater runoff would be appreciated.

WORK SESSION

During discussion by the Planning Board, the following points were made:

Keith Huff and Joe Fogarty, City Stormwater Department, spoke about this site.

- We have spoken with staff, Mr. Causey, and Mr. Ashe.
- Unfortunately the output for this site is close to the Ashe's dwelling.
- With regard to adverse impacts, I can't speak to all Mr. Ashe said, but with regard to quantity we addressed the two-year event, the 10-year event, and the 25-year event. This control would not address the 50-year and 100-year events. Those are infrequent but they can occur.
- We are using the maximum tools we have available but it isn't a 100% stop-gap.

Due to a medical emergency, the Board went into recess. When the meeting was resumed, the petitioner and Planning Board agreed by consent to continue the request for one month.

