

DOCKET #: W3027
(continued from 3/12/09)

PROPOSED ZONING:
IP-S

EXISTING ZONING:
RM12-S

PETITIONER:
Elks Lodge
for property owned
by Hernhut Square LLC

SCALE: 1" represents 300'

STAFF: Roberts

GMA: 3

ACRES: 5.88

**NEAREST
BLDG:** 35' south

MAP(S): 612838



April 22, 2009

Elks Lodge #449
c/o Eddie J. Brown, CPE
11040 Old US Highway 52
Winston-Salem, NC 27107

RE: ZONING MAP AMENDMENT W-3027

Dear Mr. Brown:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary's Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102
Herrnhut Square, LLC, P. O. Box 18133, Greensboro, NC 27419

ACTION REQUEST FORM

DATE: April 22, 2009
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of the Elks Lodge for property owned by Hernhut Square, LLC

SUMMARY OF INFORMATION:

Zoning map amendment of the Elks Lodge for property owned by Hernhut Square, LLC from RM-12-S (Residential Building, Multifamily) to IP-S (Club or Lodge): property is located on the east side of Griffith Road, north of Emsley Street (Zoning Docket W-3027).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Elks Lodge for property owned by Hernhut Square, LLC, Docket W-3027

AN ORDINANCE AMENDING THE
WINSTON-SALEM CITY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF
THE CITY OF WINSTON-SALEM, N.C.

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RM-12-S (Residential Building, Multifamily) to IP-S (Club or Lodge) the zoning classification of the following described property:

PIN #: 6813-38-4423

Section 2. This Ordinance is adopted after approval of the site plan entitled Elks Lodge #449 and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, 20__ to Elks Lodge for property owned by Hernhut Square, LLC.

Section 3. The City Council 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 Elks Lodge #449. 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.

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Elks Lodge for property owned by Hernhut Square, LLC, (Zoning Docket W-3027). 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 IP-S (Club or Lodge), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the IP-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department. Required improvements include, but are not limited to:
 - Right-of-way dedication of 35' from center along Griffith Road
 - Widen Griffith Road 18' from center with curb, gutter and sidewalk
 - b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
 - a. An engineered lighting plan shall be submitted to Inspections for the proposed lighting demonstrating the use of full-cut off fixtures, light height of 25' or less and no more than 0.5 foot-candles at the property line.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. All required improvements of the City of Winston-Salem driveway permit shall be completed.
 - b. Lighting shall be installed per approved lighting plan and certified by an engineer.
 - c. Any damage to City maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the Public Works Department.
 - d. Where 90° parking is adjacent to sidewalks, the developer shall provide either a 2' grass strip, wheel stops or 7' wide sidewalks.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3027		
Staff	Gary Roberts, Jr. AICP		
Petitioner(s)	Elks Lodge		
Owner(s)	Hernhut Square, LLC		
Subject Property	PIN #6813-38-4423		
Address	No current address assignment for this lot; however it is directly behind 2595 Griffith Road.		
Type of Request	Special use rezoning		
Proposal	The petitioner is requesting to amend the Official Zoning Maps for the subject property from RM-12-S residential, Multifamily District (Residential Building, Multifamily); 12 units per acre maximum density to IP-S Institutional Public District. The petitioner is requesting the following uses: <ul style="list-style-type: none"> • Club or Lodge 		
Continuance History	The request was continued from the March 12, 2009 Planning Board meeting to the April 9 meeting in order to modify the site plan.		
Zoning District Purpose Statement	The IP District is intended to accommodate public and institutional uses which have a limited land use impact or traffic generation potential upon surrounding uses. The district is intended to accommodate smaller, less intensive public and institutional uses which have concentrated service areas and are located in or near residential areas, or larger, less intensive recreational or institutional facilities in rural areas.		
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	Yes, the request is for a relatively small scale institutional use, with less anticipated traffic than what the current zoning would allow. It is also located near residential areas.		
GENERAL SITE INFORMATION			
Location	East side of Griffith Road, north of Emsley Street		
Jurisdiction	City of Winston-Salem		
Ward(s)	South		
Site Acreage	Approximately ± 5.88 acres		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	Single family homes and undeveloped property
	East	RM-12-S	Required open space for the adjacent multifamily development
	South	RM-12-S	Multifamily residential
	West	RS-9	Single family homes

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	The subject request is for only one use, Club or Lodge and at a relatively modest scale, 11,236 sf building size. A significant portion of the directly adjacent property is undeveloped. The compatibility of this use with the adjacent residential property will be somewhat dependent upon how the facility is managed.			
Physical Characteristics	The site includes one pond and a second pond which straddles the northern property line. Both ponds drain to the east to a tributary of Salem Creek and are shown as to remain on the site.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Stormwater/ Drainage	A stormwater study will be required prior to the issuance of a grading permit.			
Watershed and Overlay Districts	The site is not within a water supply watershed.			
Analysis of General Site Information	Other than the above mentioned ponds, the site appears to possess no development constraints and is suitable for the proposed improvements.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>			
	<ul style="list-style-type: none"> Stormwater condition 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Griffith Road	Minor Thoroughfare	117'	5,600	16,100
Proposed Access Point(s)	Griffith Road			
Planned Road Improvements	The Thoroughfare Plan recommends Griffith Road be improved to a three lane section with curb and gutter, and wide outside lanes with sidewalks.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RM-12-S</u> 40 units x 6.59 (Multifamily Trip Rate) = 264 Trips per Day <u>Proposed Zoning: IP-S</u> 3 employees (maximum anticipated) x 46.90 (Lodge/Fraternal Organization Trip Rate) = 141 Trips per Day			
Sidewalks	Griffith Road has some segments of sidewalk as a result of recent special use rezonings. The Sidewalk and Pedestrian Facilities Plan requires sidewalks along said roadway.			
Transit	Not available			

Analysis of Site Access and Transportation Information	It is anticipated the subject request would generate a measurably lower rate of increased traffic compared with the current zoning. In addition, the trips generated should be at non-peak hour times. Staff recommends the provision of a lateral sidewalk connection from the new sidewalk along the sites frontage on Griffith Road to the building entrance. The revised site plan includes this connection.
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> Obtain a driveway permit from WSDOT
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	Growth Management Area 3, Suburban Neighborhoods
Relevant Legacy Recommendations	<ul style="list-style-type: none"> Encouraging infill, redevelopment, and reuse of vacant or underutilized parcels within developed areas increases densities. Several studies conducted in different cities during the past fifteen years have found that increasing density is one of the most effective measures to increase transit ridership and makes transit more viable. Infill and redevelopment also supports the efficient provision and use of transit and promotes walking. (p. 51) <i>Legacy</i> supports neighborhood serving commercial in close proximity to residential areas. <i>Legacy</i> recommends managing growth by making more efficient use of land that has already been developed, encouraging reuse and infill and capitalizing on other development opportunities.
Relevant Area Plan(s)	<i>Southwest Suburban Area Plan, 2008</i>
Area Plan Recommendations	<ul style="list-style-type: none"> The <i>Southwest Suburban Area Plan</i> recommends this site for Intermediate Density residential development (8-12 residential units per acre)
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(S)(4) - Is the requested action in conformance with <i>Legacy</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	From a <i>Legacy</i> standpoint, the site is located along a minor thoroughfare and represents a good infill site which will provide a more balanced mixture of uses in the area. The request will also preserve the pond located on the site and retain much of the existing vegetation which surrounds it. While the <i>Southwest Suburban Area Plan</i> recommends multifamily residential for this site, the request is comparable from an intensity standpoint to multifamily development and should result in lower peak hour traffic than what would be expected under the existing residential development scenario.
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> Lighting condition

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2865	RM12-S to RS-9	Approved 7-3-06	Directly southwest	.25	Approval	Approval
W-2579	RS-9 to RM12-S	Approved 12-6-02	Included current site	6.75	Denial	Approval
W-1249	R-6 to R2-S (RM12-S)	Approved 9-3-85	Directly south	13.03	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	11,236 sf		Central portion			
Parking	Required	Proposed		Layout		
	77 spaces	88 spaces		90° head end in front of building		
Building Height	Maximum		Proposed			
	60'		One story on front, two stories on back			
Impervious Coverage	Maximum		Proposed			
	60%		23.03 %			
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.5 (A) IP District Chapter B, Article II, Section 2-5.23 Club or Lodge Use Condition 					
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 revised site plan complies with the requirements of the UDO.					
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The proposed request will provide a healthy mixture of uses along the Griffith Road corridor.			The activities associated with the proposed pool, particularly at night, could have an audible impact on the adjacent residential units to the south.			
The request should generate less peak hour traffic than what could be expected under the current RM12-S zoning.			The <i>Southwest Suburban Area Plan</i> recommends intermediate density residential for this site.			
Site plan illustrates the preservation of the existing pond and much of the immediately adjacent existing vegetation.						

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.

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 - b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department.
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 - d. Where 90° parking is adjacent to sidewalks, the developer shall provide either a 2' grass strip, wheel stops or 7' wide sidewalks.

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.**

PUBLIC HEARING regarding continuance request - March 12, 2009

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved continuance of the zoning map amendment and site plan to April 9, 2009.

SECOND: Jerry Clark

VOTE:

FOR: Jerry Clark, Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

PUBLIC HEARING - April 9, 2009

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: Arthur King

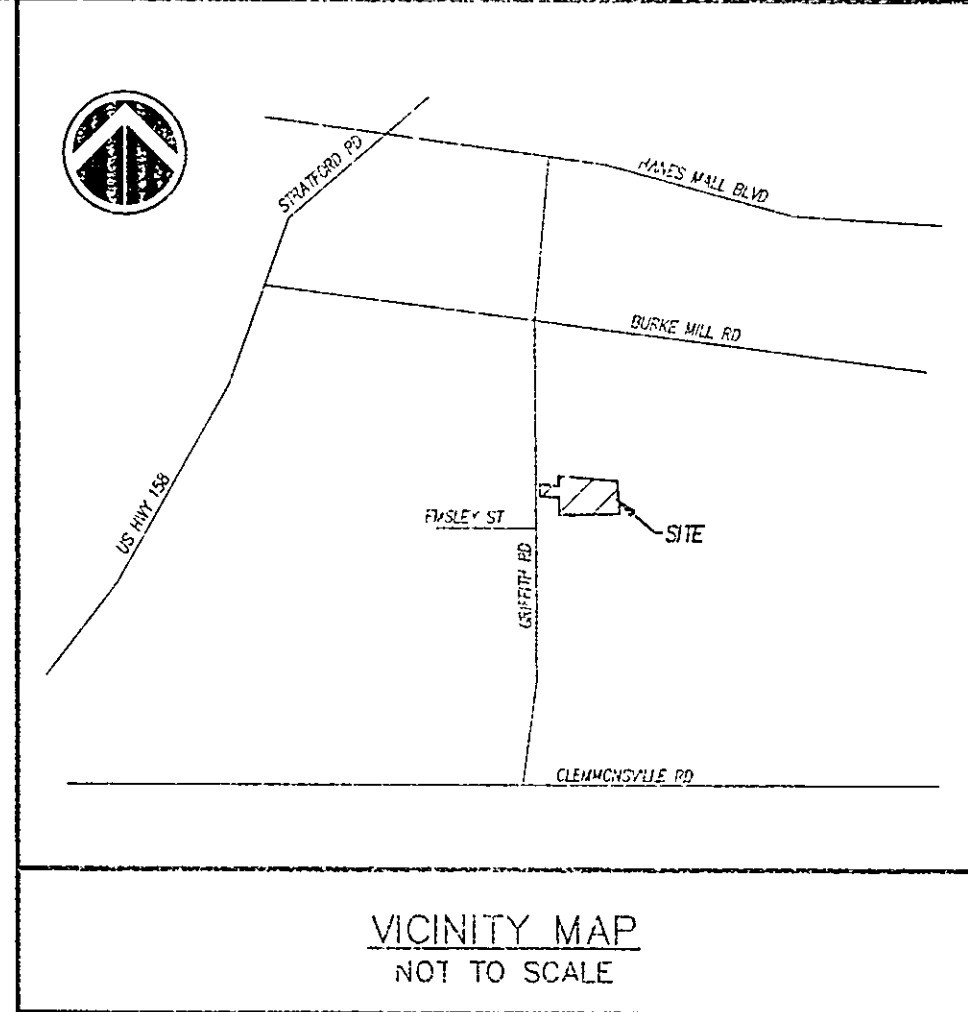
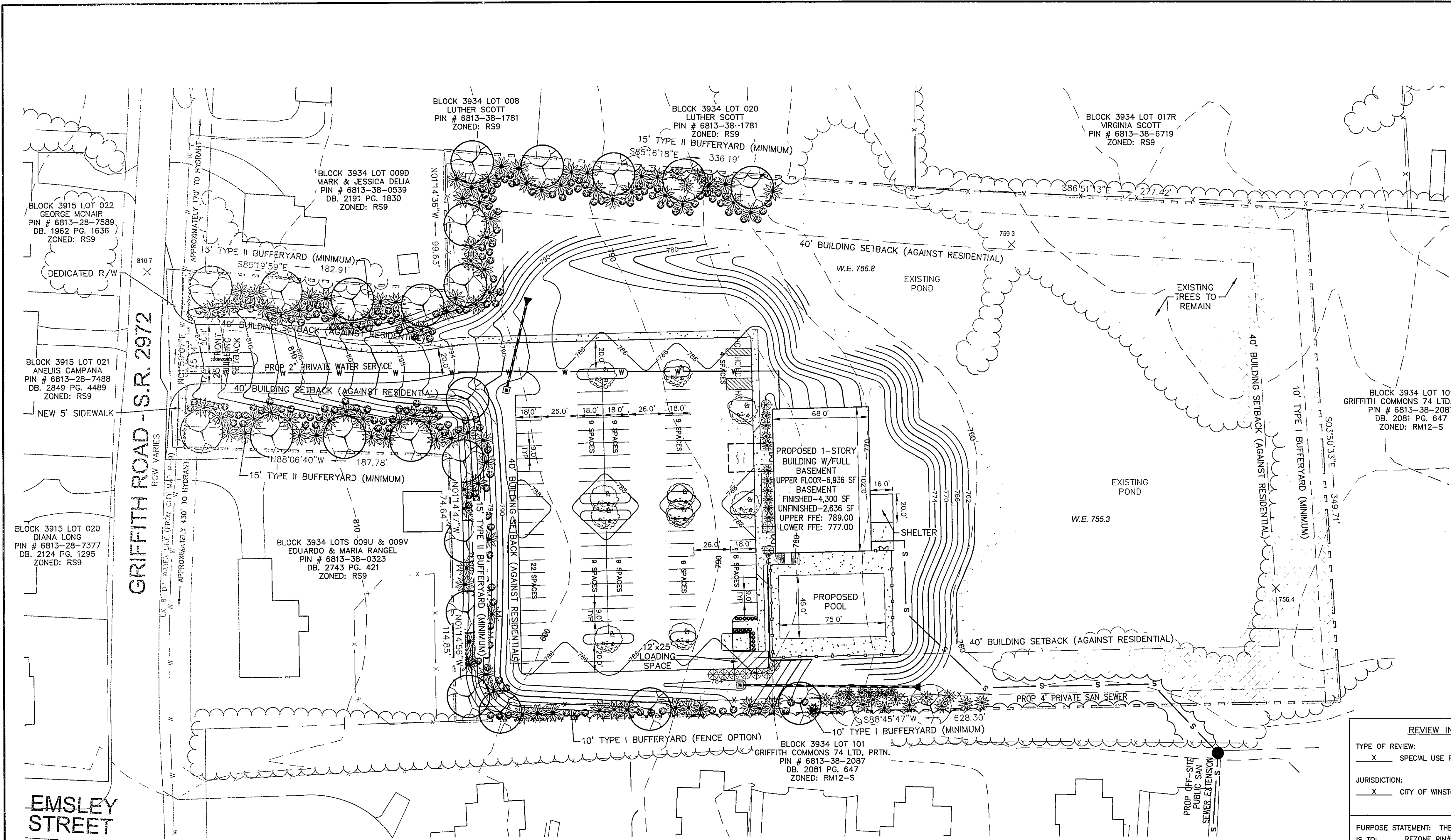
VOTE:

FOR: Wesley Curtis, Arnold King, Arthur King, Darryl Little, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

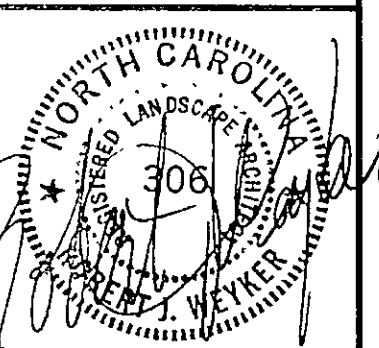
EXCUSED: None

A. Paul Norby, FAICP
Director of Planning



WEYKER
AND ASSOCIATES
2966 - D St. Mark Road
Winston-Salem, NC 27103
Telephone 336/768-3031
FAX 336/768-1597

Allied Design, Inc.
CIVIL ENGINEERING & LAND SURVEYING
4720 KESTER MILL ROAD
WINSTON-SALEM, NORTH CAROLINA 27103
Phone: (336) 765-2377
Fax: (336) 766-8886
http://www.allied-engineers.com

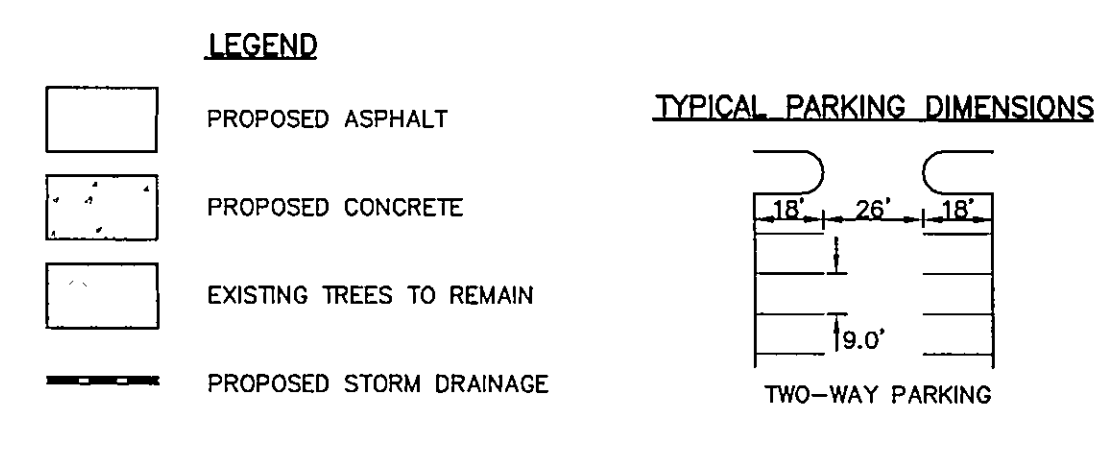


REZONING AND
PRELIMINARY
SITE PLAN
FOR PLANNING BOARD
REVIEW ONLY

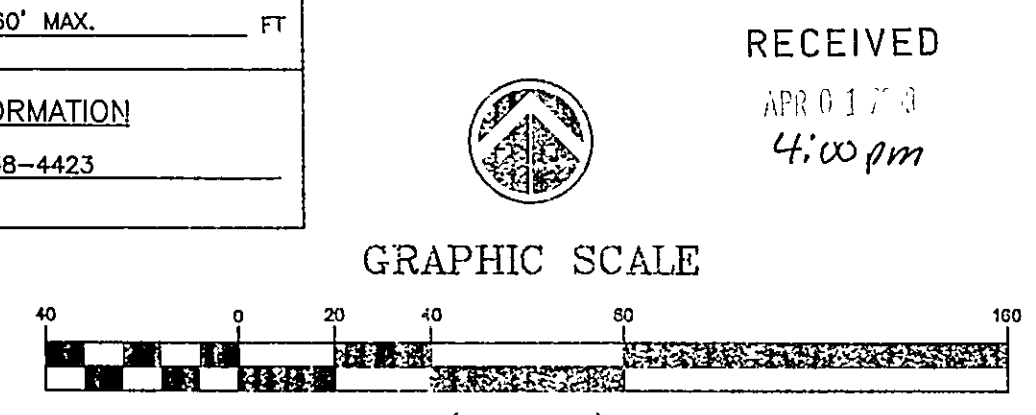
ELKS LODGE - NO. 449
CAPITAL BUILDING CONSULTANTS
GRIFFITH ROAD
WINSTON-SALEM, NORTH CAROLINA

SITE DATA
OWNER: PIN: 6813-38-4423
BLOCK 3934 LOT 009W
DEED BOOK 2658 PAGE 688
HERRHIT SQUARE, LLC
P.O. BOX 18133
GREENSBORO, N.C. 27419
PETITIONER: WINSTON-SALEM ELKS LODGE #449
530 DEACON BOULEVARD
WINSTON-SALEM, N.C. 27105
PHONE: (336) 577-9105
FAX: (336) 775-1905
CONTACT: EDIE BROWN
eddie@capitalbuildingconsultants.com
ENGINEER: ALLIED DESIGN, INC.
4720 KESTER MILL ROAD
WINSTON-SALEM, N.C. 27103
PHONE: (336) 765-2377
FAX: (336) 766-8886
STEVE M. CAUSEY, P.E.
scousey@allied-engineers.com

REVIEW INFORMATION	ZONING
TYPE OF REVIEW: <input checked="" type="checkbox"/> SPECIAL USE REZONING	EXISTING ZONING: RM12-S
JURISDICTION: <input checked="" type="checkbox"/> CITY OF WINSTON-SALEM	PROPOSED ZONING: IP-S
PURPOSE STATEMENT: THE PURPOSE OF THIS REQUEST IS TO: REZONE PIN# 6813-38-4423 FROM RM12-S TO IP.	PROPOSED USES: CLUB OR LODGE
INFRASTRUCTURE	OFF-STREET PARKING
WATER: <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE	PROPOSED USE(S): CLUB OR LODGE
SEWER: <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE	REQUIRED PARKING: 1 SPACE / 225 SF GFA
STREETS: <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE	1 SPACE / 125 SF POOL SURFACE AREA
SITE SIZE AND COVERAGES	REQUIRED PARKING: 11,236 SF / 225 = 50 SPACES
TOTAL ACREAGE: 5.85 ACRE(S)	3,373 SF / 125 = 27 SPACES
SITE COVERAGES:	88 SPACES PROVIDED (INCL. 4 HC)
BUILDING TO LAND: 2.85 %	OFF-STREET LOADING
PAVEMENT TO LAND: 20.98 %	LOADING/UNLOADING SPACES REQUIRED: 1
TOTAL IMPERVIOUS: 23.83 %	LOADING/UNLOADING SPACES PROVIDED: 1
OPEN SPACE: 76.17 %	SIZE: 12 FT X 25 FT
TOTAL: 100 %	BUFFERYARDS
BUILDING SQUARE FOOTAGE: 11,236 (FINISHED) SF	ADJOINING ZONING: RM12-S & RS9
2,636 (UNFINISHED) SF	TYPE REQUIRED: TYPE I (RM12-S) & TYPE 2 (RS9)
BUILDING HEIGHT: 60' MAX. FT	WIDTH PROVIDED: 10' TYPE I AND 15' TYPE II FT
PROPERTY INFORMATION	
PIN #: 6813-38-4423	



- GENERAL NOTES**
- EXISTING SITE BOUNDARY INFORMATION TAKEN FROM A SURVEY COMPLETED BY LEAD PROFESSIONAL, P.C., DATED AUGUST 11, 2006. TOPOGRAPHY AND OTHER SITE DATA TAKEN FROM AVAILABLE CITY/COUNTY MAPS.
 - ALL DEVELOPMENT SHALL CONFORM WITH THE FORSYTH COUNTY "UNIFIED DEVELOPMENT ORDINANCE".
 - ALL DIMENSIONS ARE TO EDGE OF PAVEMENT, BACK OF CURB AND FACE OF BUILDING, UNLESS OTHERWISE NOTED. VERIFY ALL BUILDING DIMENSIONS WITH ARCHITECT PRIOR TO START OF CONSTRUCTION.
 - PUBLIC WATER AND SEWER SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY-COUNTY UTILITIES COMMISSION.
 - ALL WATER AND SEWER MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE CITY OF WINSTON-SALEM, JANUARY 1999, EDITION.
 - DEVELOPER HAS AGREED THAT A 12'x25' LOADING SPACE WILL BE ADEQUATE.



PROJECT NO.: 09-002
DRAWN BY: JMM
CHECKED BY: SMC
DATE: 01/19/09

NO.	DATE	DESCRIPTION
A	01/19/09	ISSUED FOR SKETCH PLAN REVIEW
B	02/03/09	ISSUED FOR PRE-SUBMITTAL REVIEW
C	02/09/09	ISSUED FOR PLANNING BOARD REVIEW
D	03/17/09	REISED BUILDING FOOTPRINT
E	03/31/09	REISED PER STAFF COMMENTS

PRELIMINARY
SITE
PLAN
SHEET
C1

W-2027 "REVISED"
ZONING File Copy