PROPOSED ZONING:
NO-L

EXISTING ZONING:
RS9

PETITIONER:
David & Ernestine Cooper for property owned by Same

SCALE: 1" represents 300'

STAFF: Roberts

GMA: 2

ACRES: 0.66

NEAREST BLDG: 15' west

MAP(S): 624846
August 22, 2012

David and Ernestine Cooper
955 Longgreen Drive
Kernersville, NC 27284

Re: Zoning Map Amendment W-3148

Dear Mr. & Ms. Cooper:

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,

[Signature]

A. Paul Norby, FAICP
Director of Planning

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102
**ACTION REQUEST FORM**

**DATE:** August 22, 2012  
**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 David and Ernestine Cooper

**SUMMARY OF INFORMATION:**

Zoning map amendment of David and Ernestine Cooper from RS9 to NO-L (Adult Day Care Home; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Combined Use; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Offices; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Child Day Care, Large Home; Limited Campus Uses; Residential Building, Multifamily; Residential Building, Townhouse; Utilities; Adult Day Care Center; Banking and Financial Services; Bed and Breakfast; Child Care, Sick Children; Child Day Care Center; Park and Shuttle Lot; Access Easement, Private Off-Site): property is located on the northwest corner of Waughtown Street and Reynolds Forest Drive (Zoning Docket W-3148).

<table>
<thead>
<tr>
<th>PLANNING BOARD ACTION:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>MOTION ON PETITION:</strong></td>
<td>APPROVAL</td>
</tr>
<tr>
<td><strong>FOR:</strong></td>
<td>UNANIMOUS</td>
</tr>
<tr>
<td><strong>AGAINST:</strong></td>
<td>NONE</td>
</tr>
<tr>
<td><strong>SITE PLAN ACTION:</strong></td>
<td>NOT REQUIRED</td>
</tr>
</tbody>
</table>
CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of David and Ernestine Cooper, Docket W-3148

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 RS9 to NO-L (Adult Day Care Home; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Combined Use; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Offices; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Child Day Care, Large Home; Limited Campus Uses; Residential Building, Multifamily; Residential Building, Townhouse; Utilities; Adult Day Care Center; Banking and Financial Services; Bed and Breakfast; Child Care, Sick Children; Child Day Care Center; Park and Shuttle Lot; Access Easement, Private Off-Site) the zoning classification of the following described property:

PIN #6844-78-6287

Section 2. This Ordinance is adopted after approval of the Special Use Limited District Permit issued by the City Council the _____ day of __________________, 20___ to David and Ernestine Cooper.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District Permit pursuant to the Zoning Ordinance of the Unified Development Ordinances for a development to be known as David and Ernestine Cooper. Said Special Use Limited District Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.
CITY - SPECIAL USE LIMITED DISTRICT PERMIT

SPECIAL USE LIMITED 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 Limited District Permit for the zoning petition of David and Ernestine Cooper, (Zoning Docket W-3148). The site shall be developed in accordance with the conditions approved by the Board and the following uses: Adult Day Care Home; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Combined Use; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Offices; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Child Day Care, Large Home; Limited Campus Uses; Residential Building, Multifamily; Residential Building, Townhouse; Utilities; Adult Day Care Center; Banking and Financial Services; Bed and Breakfast; Child Care, Sick Children; Child Day Care Center; Park and Shuttle Lot; Access Easement, Private Off-Site, approved by the Winston-Salem City Council the _____ day of ________________, 20____" and signed, provided the property is developed in accordance with requirements of the NO-L 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 ISSUANCE OF ANY PERMITS:
  a. Developer shall obtain a driveway permit from NCDOT and the City of Winston-Salem Public Works Department. Required improvements include:
    • Sidewalk along Waughtown Street.
  b. Developer will need to obtain the proper building and land use permits prior to establishing/changing the use.

• OTHER REQUIREMENTS:
  a. The developer shall retain the existing principal structure.
# CITY-COUNTY PLANNING BOARD

## STAFF REPORT

### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Docket #</td>
<td>W-3148</td>
</tr>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>David and Ernestine Cooper</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN #6844-78-6287</td>
</tr>
<tr>
<td>Address</td>
<td>2427 Waughtown Street</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Limited rezoning from RS9 to NO-L</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS9 Residential, Single Family District; 9,000 sf minimum lot size to NO-L Neighborhood Office District – Special Use Limited zoning. The petitioner is requesting the following uses: Adult Day Care Home; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Combined Use; Government Offices, Neighborhood Organization, or Post Office; Library, Public; Offices; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Child Day Care, Large Home; Limited Campus Uses; Residential Building, Multifamily; Residential Building, Townhouse; Utilities; Adult Day Care Center; Banking and Financial Services; Bed and Breakfast; Child Care, Sick Children; Child Day Care Center; Park and Shuttle Lot; and Access Easement, Private Off-Site</td>
</tr>
</tbody>
</table>

**NOTE:** General, special use limited, and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented.

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood Contact/Meeting</td>
<td>The application indicates that at the time of filing, no neighborhood/community meeting had been held.</td>
</tr>
<tr>
<td>Zoning District Purpose Statement</td>
<td>The NO District is primarily intended to accommodate very low intensity office uses within converted single family detached units. The district is intended to be located on the periphery of established residential areas, along major and minor thoroughfares. The district is established to provide convenient locations for offices, the size and operating characteristics of which require limited parking and which generate little traffic. Standards are designed so that this district may serve as a transitional land use between residential districts and commercial districts. This district is intended for application in GMA's (Growth Management Areas) 2 (Urban Neighborhoods), 3 (Suburban Neighborhoods) and 4 (Future Area).</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)? Yes, the request would allow for the adaptive reuse of a single family structure located along a major thoroughfare within the Urban Neighborhoods Growth Management Area.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>GENERAL SITE INFORMATION</strong></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Northwest corner of Waughtown Street and Reynolds Forest Drive</td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Southeast</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>±.66 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>A 1,240 sf single family home and accessory building are currently located on the site.</td>
</tr>
<tr>
<td>Surrounding Property Zoning and Use</td>
<td>Direction</td>
</tr>
<tr>
<td></td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>East</td>
</tr>
<tr>
<td></td>
<td>South</td>
</tr>
<tr>
<td></td>
<td>West</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity? The uses allowed in the proposed NO-L district are generally compatible with the adjacent business and residential uses.</td>
</tr>
<tr>
<td>Physical Characteristics</td>
<td>The site has a gentle slope downward to the northeast.</td>
</tr>
<tr>
<td>Proximity to Water and Sewer</td>
<td>Public water and sewer are available to the site.</td>
</tr>
<tr>
<td>Stormwater/Drainage</td>
<td>No known issues.</td>
</tr>
<tr>
<td>Watershed and Overlay Districts</td>
<td>The site is not located within a water supply watershed.</td>
</tr>
<tr>
<td>Historic, Natural Heritage and/or Farmland Inventories</td>
<td>The subject property is located within the Waughtown/Belview National Historic District. The structure is listed as being noncontributing to the district because it has been covered with aluminum siding and has replacement windows. However, the original form of the Bungalow style house remains, and it features an engaged porch with lattice-work posts and an interesting off-center front exterior chimney. The exterior alterations made to the house could easily be reversed in the future. As such, Historic Resources staff recommends placing a condition on the rezoning that the structure remains on the property.</td>
</tr>
<tr>
<td>Analysis of General Site Information</td>
<td>The site has no apparent constraints and appears to be suitable for development within the proposed NO-L district.</td>
</tr>
<tr>
<td>Street Name</td>
<td>Classification</td>
</tr>
<tr>
<td>---------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Waughtown Street</td>
<td>Major Thoroughfare</td>
</tr>
<tr>
<td>Reynolds Forest Drive</td>
<td>Local Street</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**
Because this is a Special Use Limited rezoning request with no site plan or access conditions, the exact location of access points is unknown. The site currently has a driveway onto Waughtown Street and onto Reynolds Forest Drive.

**Trip Generation - Existing/Proposed**
- **Existing Zoning: RS9**
  
  \[
  \text{.66 acre} / 9,000 = 3 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 29 \text{ Trips per Day}
  \]

- **Proposed Zoning: NO-L**
  
  \[
  \text{1,240} / 1,000 \times 11.57 \text{ (Single Tenant Office Building Trip Rate)} = 14 \text{ Trips per Day}
  \]

**Sidewalks**
Sidewalks are required along Waughtown Street and are located directly west of the site and across the street.

**Transit**
Route 29 runs along Waughtown Street.

**Analysis of Site Access and Transportation Information**
Staff does not anticipate any negative transportation impacts from this request. A NCDOT and WSDOT driveway permit will be required.

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**CONFORMITY TO PLANS AND PLANNING ISSUES**

**Legacy GMA**
Growth Management Area 2 - Urban Neighborhoods

**Relevant Legacy Recommendations**
- Encourage redevelopment and reuse of existing sites and buildings which are visually compatible with the surrounding area. Protect existing neighborhoods through the creation of opportunities and incentives for their rehabilitation, redevelopment, and revitalization.

**Relevant Area Plan(s)**
- **Southeast Winston-Salem Area Plan (2002)**

**Area Plan Recommendations**
- Site is designated for office/commercial use. It forms part of a special land use condition area - Site “g” located on Waughtown Street between Leight Street and Salem Lake Road. The plan recommends maintaining the existing character of the area by allowing, but not encouraging, a limited number of existing homes to convert to office or commercial use.

**Other Applicable Plans and Planning Issues**
Comments from the Inspections Department: Developer will need to obtain the proper building and land use permits prior to establishing/changing their use.

**Addressing**
There are no addressing or street naming concerns.

**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
The proposed RS9 to NO-L request is for a lot that is currently developed with a single family home (which would be retained) and is located on the northwest corner of Waughtown Street and Reynolds Forest Drive.

The *Southeast Winston-Salem Area Plan* recommends maintaining the existing character of the area (which is predominately single family residential) by allowing, but not encouraging, a limited number of existing homes to convert to office or commercial use. The site is adjacent and in close proximity to other single family to office/business adaptive reuses conversions. The Plan also includes various standards regarding landscaping, parking, building integrity and signage to be used when existing homes are converted into office or commercial use.

While the Special Use Limited request does not include a site plan, the petitioner has agreed to retain the existing structure. In addition, the proposed NO district has many inherent site design requirements including landscaping, the location of parking, limited signage and lighting which staff believes will adequately address the area plan recommendations. The petitioner has also agreed to omit the use: Landfill, Land Clearing and Inert Debris.

### Relevant Zoning Histories

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td><strong>Staff</strong></td>
</tr>
<tr>
<td>W-3074</td>
<td>LB-S SPA</td>
<td>Approved 9-20-10</td>
<td>Directly west</td>
<td>1.66</td>
<td>Approval</td>
</tr>
<tr>
<td>W-3026</td>
<td>PB-S to HB-S</td>
<td>Approved 5-18-09</td>
<td>300' west</td>
<td>1.6</td>
<td>Denial</td>
</tr>
<tr>
<td>W-2060</td>
<td>RS9 to LB-S</td>
<td>Approved 7-1-96</td>
<td>250' east</td>
<td>1.25</td>
<td>Approval</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>CCPB</strong></td>
</tr>
<tr>
<td>W-3074</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Approval</td>
</tr>
<tr>
<td>W-3026</td>
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<td></td>
<td></td>
<td>Denial</td>
</tr>
<tr>
<td>W-2060</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Approval</td>
</tr>
</tbody>
</table>

### Conclusions to Assist with Recommendation

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The request is consistent with the recommendations of the <em>Southeast Winston-Salem Area Plan</em> and <em>Legacy</em>.</td>
<td>The request does not include a site plan that demonstrates compliance with all area plan recommendations.</td>
</tr>
<tr>
<td>The request would allow for an adaptive reuse of the existing structure and allow for a new office opportunity.</td>
<td></td>
</tr>
<tr>
<td>The request would retain the existing structure which is located within a national historic district.</td>
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</tbody>
</table>

### 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 Issuance of Any Permits:**
  a. Developer shall obtain a driveway permit from NCDOT and the City of Winston-Salem Public Works Department. Required improvements include:
  - Sidewalk along Waughtown Street.
b. Developer will need to obtain the proper building and land use permits prior to establishing/changing the use.

- **OTHER REQUIREMENTS:**
  a. The developer shall retain the existing principal structure.

**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-3148
AUGUST 9, 2012

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment.
SECOND: Lynne Mitchell
VOTE:
  FOR: Wesley Curtis, Arnold King, Clarence Lambe, Barry Lyons, Lynne Mitchell, Paul Mullican, Brenda Smith, Allan Younger
  AGAINST: None
  EXCUSED: None

[Signature]
A. Paul Norby, FAICP
Director of Planning
EXISTING RS9 USES ALLOWED
City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Adult Day Care Home
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Church or Religious Institution, Community
Golf Course
Library, Public
Limited Campus Uses
Planned Residential Development
School, Private
School, Public
Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Bed and Breakfast
Child Day Care, Large Home
Habilitation Facility A
Landfill, Land Clearing/Inert Debris
Manufactured Home, Class A
Park and Shuttle Lot

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Parking, Off-Site, for Multifamily or Institutional Uses
The proposed zoning map amendment from RS9 (Residential, Single Family District; 9000 sf minimum lot size) to NO-L (Neighborhood Office District-Special Use Limited Zoning) with its added conditions is consistent with the Legacy Comprehensive Plan, and generally consistent with the Southeast Winston-Salem Area Plan (2002) and is reasonable and in the public interest because:

1. The request would allow for an adaptive reuse of the existing structure and allow for a new office opportunity;

2. The request would retain the existing structure which is located within a national historic district; and

3. The site has no apparent constraints and appears to be suitable for development within the proposed NO-L District.
DENIAL
STATEMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
W-3148
(DAVID AND ERNESTINE COOPER)

Although the proposed zoning map amendment from RS9 (Residential, Single Family District; 9000 sf minimum lot size) to NO-L (Neighborhood Office District-Special Use Limited Zoning) is consistent with the Legacy Comprehensive Plan, and generally consistent with the Southeast Winston-Salem Area Plan (2002), approval of the request is not reasonable and in the public interest because the request does not include a site plan that demonstrates compliance with all area plan recommendations.