



**DOCKET #:** W2528

**PROPOSED ZONING:**  
LO-S (Professional Office; and Offices, Miscellaneous)

**EXISTING ZONING:**  
RS9

**PETITIONER:**  
Mary Reynolds Babcock Foundation for property owned by Bellamy Trustees

**SCALE:** 1" represents 200'

**STAFF:** Hughes

**GMA:** 3

**ACRE(S):** 1.74

**MAP(S):** 612870, 612874



February 19, 2002

Mary Reynolds Babcock Foundation  
for property owned by Bellamy Trustees  
and Emory A. Thomas  
2522 Reynolda Road  
Winston-Salem, NC 27106

RE: ZONING MAP AMENDMENT W-2528

Dear Sirs:

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

Sincerely,

A. Paul Norby, AICP  
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102  
Doug Stimmel, Stimmel Associates, P.A., 305 W. Fourth Street, Suite 1-A, Winston-Salem, NC 27101  
Steven W. Wregl, 5866 Poplar Lane, Pfafftown, NC 27040

**ACTION REQUEST FORM**

**DATE:** February 19, 2002  
**TO:** The Honorable Mayor and Board of Aldermen  
**FROM:** A. Paul Norby, AICP, Director of Planning

**BOARD ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of Mary Reynolds Babcock Foundation for property owned by Bellamy Trustees and Emory A. Thomas

**SUMMARY OF INFORMATION:**

Zoning map amendment of Mary Reynolds Babcock Foundation for property owned by Bellamy Trustees and Emory A. Thomas from RS-9 to LO-S (Professional Office; and Offices, Miscellaneous): property is located on the southeast corner of Reynolda Road and Briarcliffe Road (Zoning Docket W-2528).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** FOR APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Mary Reynolds Babcock  
Foundation for property owned by Bellamy Trustees  
and Emory A. Thomas, Docket W-2528

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

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BE IT ORDAINED by the Board of Aldermen 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 RS-9 to NO-S (Professional Office; and Offices, Miscellaneous) the zoning classification of the following described property:

BEGINNING at a point, said point being located in the southwestern right-of-way of Reynolda Road, said point also being located south 48° 38' 24" east 23.27 feet from a new iron pipe at the southern margin of the intersection of Reynolda Road and Briarcliffe Road, and commencing the following courses and distances: south 48° 38' 24" east 207.38 feet to a concrete right-of-way monument; thence south 04° 57' 25" west 220.29 feet with the western line of a subdivision as shown on the map of the Davis property as recorded in Plat Book 12, Page 41 in the Office of the Register of Deeds of Forsyth County, North Carolina, to a new iron pipe set in said line; thence north 85° 07' 15" west 267.58 feet along a new line to a new iron pipe set; thence north 04° 52' 45" east 50.00 feet to an existing iron rod, said rod being the southeast corner of the Thomas property as referenced in Deed Book 2055, Page 2708 in the above stated Office of the Register of Deeds; thence with the eastern line of the Thomas property, north 04° 52' 45" east 214.73 feet to a point in the old right-of-way of Briarcliffe Road as shown on the subdivision map of the Emory A. Thomas Estate as recorded in Plat Book 16, Page 51 in the above stated Office of the Register of Deeds; thence with the old right-of-way line south 84° 29' 23" east 43.71 feet to a point, thence north 40° 46' 37" east 97.94 feet to a point in the southwestern right-of-way of Reynolda Road, being the point and place of BEGINNING. The parcel described herein contains 1.744 acres, more or less.

Section 2. This Ordinance is adopted after approval of the site plan entitled Mary Reynolds Babcock Foundation and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to Mary Reynolds Babcock Foundation for property owned by Bellamy Trustees and Emory A. Thomas.

Section 3. The Board of Aldermen 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 Mary Reynolds Babcock Foundation. 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 Board of Aldermen

of the City of Winston-Salem

The Board of Aldermen 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 Mary Reynolds Babcock Foundation for property owned by Bellamy Trustees and Emory A. Thomas, (Zoning Docket W-2528). 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 LO-S (Professional Office; and Offices, Miscellaneous), approved by the Winston-Salem Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_" and signed, provided the property is developed in accordance with requirements of the LO-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 ISSUANCE OF GRADING PERMITS**
  - a. Existing trees shown on the site plan to remain shall be cordoned off.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Negative access easements shall be shown on the site plan along Reynolda Road.
  - b. Type II bufferyard shall be installed as shown on the site plan.
  
- **OTHER REQUIREMENTS**
  - a. Signage shall be limited to one (1) freestanding sign at the driveway on Reynolda Road and one (1) freestanding sign at the driveway on Briarcliffe Road. The sign on Reynolda Road shall be limited to monument type with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet. The sign at the driveway on Briarcliffe Road shall be limited to a monument type with a maximum height of five (5) feet and a maximum copy area of six (6) square feet.

## ZONING STAFF REPORT

**DOCKET #** W-2528  
**STAFF:** Suzy Gallaway

Petitioner(s): Mary Reynolds Babcock Foundation  
Ownership: Jane T. Bellamy Trustees and Emory A. Thomas

### **REQUEST**

From: RS-9 Residential Single Family District; minimum lot size 9,000 sf  
To: LO-S Limited Office District (Professional Office; and Offices, Miscellaneous)

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

Acreage: 1.74 acres

### **LOCATION**

Street: Southeast corner of Reynolda Road and Briarcliffe Road.  
Jurisdiction: City of Winston-Salem.  
Ward: Northwest.

### **SITE PLAN**

Proposed Use: Professional Office; and Offices, Miscellaneous.  
Square Footage: 5,787 square feet.  
Building Height: 2.5 story.  
Parking: Required: 19; proposed: 19.  
Bufferyard Requirements: 15 foot type II along residential zoning.  
Vehicular Use Landscaping Standards Requirements: UDO Standards apply.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: 2.5 story single family structure.  
Adjacent Uses:

Northeast - Restaurant, zoned LB and HB.  
East - Medical Office, zoned HB-S.  
South - Vacant RS-9 property.  
West - Single family homes, zoned RS-9.

## **GENERAL AREA**

Character/Maintenance: Well-maintained single family homes and commercial uses.  
Development Pace: Moderate.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Current structure would be utilized and large trees would remain, little impact on existing features except the parking, driveway, and signage.

Topography: The property slopes from the north towards the south-southeast with a change in elevation from 900 to 880. There is an existing drainage channel along the southeastern portion of the site.

Vegetation/habitat: The southeastern portion of the site is heavily vegetated.

Natural Heritage Sites: The subject property is approximately one-half (1/2) mile southwest of Historic Bethabara and is approximately one (1) mile east of the Mill Creek wetlands.

## **TRANSPORTATION**

Direct Access to Site: Reynolda Road; Briarcliffe Road.

Street Classification: Reynolda Road - major thoroughfare; Briarcliffe Road - collector.

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

Reynolda Road between Fairlawn Drive and Yadkinville Road = 30,000/30,400

Trip Generation/Existing Zoning: RS-9

$1.74 \times 43,560/9,000 = 8 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 76 \text{ trips per day}$

Trip Generation/Proposed Zoning: LO-S

$5,787/1,000 = 11.01 \text{ (General Office Trip Rate)} = 63 \text{ trips per day}$

Sidewalks: East side of Reynolda Road.

Transit: Route 16 along Reynolda Road and Fairlawn Drive (southeast of site).

Route 44 along Reynolda Road and Old Town Road (north of site).

## **HISTORY**

Relevant Zoning Cases:

1. W-2407; GO to LB; approved August 7, 2000; north side of Reynolda Road west of Oldtown Drive and east of Briarcliffe Road; 0.61 acre; Planning Board and staff recommended approval.
2. W-2395; HB-S to HB-S (Multiple Uses); approved June 5, 2000; southwest side of Reynolda Road between Oldtown Drive and Briarcliffe Road; 0.52 acre; Planning Board and staff recommended approval.
3. W-2271; RS-9 to HB; approved December 7, 1998; southeast side of Radford Street southwest of Reynolda Road; 0.30 acre; Planning Board and staff recommended approval.
4. W-2066; LO-S (Office) to NB-S (Arts and Crafts Studio; and Professional Office); approved July 15, 1996; east side of Reynolda Road between Ferncliffe Drive and



Fairlawn Drive; 0.46 acre; Planning Board and staff recommended approval.

### **CONFORMITY TO PLANS**

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): The policies in *Legacy* encourage location of nonresidential uses, including neighborhood office, within residentially designated areas, when those uses are compatible with the surrounding neighborhood, area plans, zoning ordinances, and other local controls.

Area Plan/Development Guide: *Polo-Reynolda Area Plan* (1985).

Relevant Development Guide Recommendation(s): The subject property was already developed as a residential use when the area plan was completed. The recommended use for this site in the area plan is to continue as residential property.

### **ANALYSIS**

The petitioner is requesting to rezone 1.74 acres from RS-9 to LO-S (Professional Offices; and Offices, Miscellaneous). The single family structure on the site and existing trees would be retained. RS-9 zoning classification does not allow the office uses desired by the petitioner, therefore a rezoning is being sought.

The proposed request and submitted site plan offer an opportunity to preserve the character of the area while providing an adaptive reuse of the structure and property. This site is at a difficult location with unusual orientation. It faces Reynolda Road at an angle, not quite orienting itself to either Reynolda Road nor to the Town and Country subdivision. It is adjacent to, and across from commercial and office uses far more intense than what is proposed for this site. The low intensity of the proposal in combination with the adaptive reuse serves as a transition to the adjacent residential neighborhood while providing relief from the pressures of being on the edge of the commercial area.

The policies in *Legacy* encourage location of nonresidential uses, including neighborhood office within residentially designated areas. The subject proposal includes many elements of the NO zoning district such as parking in the rear, a small sign on Briarcliffe Road and retention of the single family structure. Because the NO District only allows up to 4,000 square foot buildings and the existing house is larger than that, LO-S zoning was applied for.

The proposal does not comply with the *Polo-Reynolda Area Plan*, as the plan was adopted after the site had already been developed as a residential use and commercial and office had not extended this far northwest on Reynolda Road.

There is some difficulty locating a 5-foot monument sign along Reynolda Road as there is a steep incline up toward the thoroughfare. Staff has indicated to the petitioner that a pole-type sign is not appropriate and recommends the monument sign.

The petitioner has carefully designed this project to impact the adjacent neighborhood as little as possible. An office use at this site utilizing the existing structure is an adaptive reuse and a good transition between the commercial and residential uses adjacent to the site. With the proposed

site plan design, the site will continue to serve as an attractive entryway into the Town and Country neighborhood.

### **FINDINGS**

1. The petitioner is requesting to rezone 1.74 acres from RS-9 to LO-S (Professional Offices; and Offices, Miscellaneous).
2. The single family structure on the site and existing trees would be retained.
3. This site is at a difficult location with unusual orientation.
4. The low intensity of the proposal in combination with the adaptive reuse provides an adequate transition to the adjacent residential neighborhood.
5. The petitioner has carefully designed this project to impact the adjacent neighborhood as little as possible.

### **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions:

- **PRIOR TO ISSUANCE OF GRADING PERMITS**
  - a. Existing trees shown on the site plan to remain shall be cordoned off.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Negative access easements shall be shown on the site plan along Reynolda Road.
  - b. Type II bufferyard shall be installed as shown on the site plan.
- **OTHER REQUIREMENTS**
  - a. Signage shall be limited to one (1) freestanding sign at the driveway on Reynolda Road and one (1) freestanding sign at the driveway on Briarcliffe Road. The sign on Reynolda Road shall be limited to monument type with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet. The sign at the driveway on Briarcliffe Road shall be limited to a monument type with a maximum height of five (5) feet and a maximum copy area of six (6) square feet.

Philip Doyle was excused from consideration of this request due to a potential conflict of interest.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Kem Schroeder moved approval of the zoning map amendment.

SECOND: Terry Powell

VOTE:

FOR: Avant, Clark, King, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: Doyle

SITE PLAN MOTION: Kem Schroeder certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Terry Powell

VOTE:

FOR: Avant, Clark, King, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: Doyle

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A. Paul Norby, AICP  
Director of Planning