



**DOCKET #:** W2531

**PROPOSED ZONING:**  
HB-S (Multiple Uses)

**EXISTING ZONING:**  
HB-S and LB

**PETITIONER:**  
Poindexter Pest Control  
for property owned  
by Tonja M. Roberts

**SCALE:** 1" represents 200'

**STAFF:** Roberts

**GMA:** 3

**ACRE(S):** 0.5

**MAP(S):** 606838



February 19, 2002

Poindexter Pest Control for property  
owned by Tonja M. Roberts  
P. O. Box 69  
Clemmons, NC 27012

RE: ZONING MAP AMENDMENT W-2531

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  
Dan Womble, 3802-A Clemmons Road, Clemmons, NC 27012

**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 Poindexter Pest Control for property owned by Tonja M. Roberts

**SUMMARY OF INFORMATION:**

Zoning map amendment of Poindexter Pest Control for property owned by Tonja M. Roberts from HB-S (ABC Store; Building Material Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous) and LB to HB-S (Building Material Supply; Nursery, Lawn and Garden Supply Store, Retail; Building Contractors, General; Services, Business A; Services, Business B; Professional Office; Services, Personal): property is located on the south side of Hewes Street northwest of Stratford Road (Zoning Docket W-2531).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Poindexter Pest Control for property owned by Tonja M. Roberts, Docket W-2531

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 HB-S (ABC Store; Building Material Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous) & LB to HB-S (Building Material Supply; Nursery, Lawn and Garden Supply Store, Retail; Building Contractors, General; Services, Business A; Services, Business B; Professional Office; Services, Personal) the zoning classification of the following described property:

Tax Block 2227, Tax Lots 89, 90, 91, and 92

Section 2. This Ordinance is adopted after approval of the site plan entitled Poindexter Pest Control and identified as Attachment "A" of the Special Use District Permit issued by the Board of Aldermen the \_\_\_\_\_ day of \_\_\_\_\_, to Poindexter Pest Control for property owned by Tonja M. Roberts.

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 Poindexter Pest Control. 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 Poindexter Pest Control for property owned by Tonja M. Roberts, (Zoning Docket W-2531). 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 HB-S (Building Material Supply; Nursery, Lawn and Garden Supply Store, Retail; Building Contractors, General; Services, Business A; Services Business B; Professional Office; Services Personal), 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 HB-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional condition be met:

- **OTHER REQUIREMENTS**
  - a. Only one freestanding sign shall be permitted on this property. Said sign shall be a monument type with a maximum height of five (5) feet.

## **ZONING STAFF REPORT**

**DOCKET #** W-2531  
**STAFF:** Gary Roberts

Petitioner(s): Poindexter Pest Control  
Ownership: Tonja M. Roberts

### **REQUEST**

From: HB-S Highway Business District (ABC Store; Building Material Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous) and LB Limited Business District  
To: HB-S (Building Material Supply; Nursery, Lawn and Garden Supply Store, Retail; Building Contractors, General; Services, Business A; Services Business B; Professional Office; Services Personal)

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

Acreage: 0.50 acre

### **LOCATION**

Street: South side of Hewes Street northwest of Stratford Road.  
Jurisdiction: City of Winston-Salem.  
Ward: Southwest.

### **SITE PLAN**

Proposed Use: Multiple business uses.  
Square Footage: 1,960 square feet, (building 'A'); 1,120 square feet, (future building 'B').  
Building Height: One story.  
Parking: Required: 7 spaces; proposed: 16 spaces.  
Bufferyard Requirements: 10 foot streetyard.  
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

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

Existing Structures on Site: Site is currently vacant.

Adjacent Uses:

North -	Unity Church zoned RS-9.
East -	Single family residence zoned RS-9.

- Southeast - Former location of Briar Patch Garden and Nursery operation zoned HB-S.
- South - Undeveloped property zoned HB.
- West - Single family residence zoned LB.

### **GENERAL AREA**

Character/Maintenance: Mixture of small to moderate sized single family homes and small to medium sized business uses.

Development Pace: Slow to moderate.

### **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Minor grading to accommodate improvements shown on site plan.

Topography: Moderate slope downward from west to east.

Vegetation/habitat: Site is lightly vegetated.

Watershed Supply Watershed: Site is not within the boundaries of a water supply watershed.

### **TRANSPORTATION**

Direct Access to Site: Stratford Road; Hewes Road.

Street Classification: Stratford Road - major thoroughfare; Hewes Road - local.

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

Stratford Road between Burke Mill Road and Somerset Drive = 24,000 /42,200

Trip Generation/Existing Zoning: Not enough information available for calculations

Trip Generation/Proposed Zoning: HB-S

$3,080/1,000 \times 36.088$  (Nursery/Garden Center Trip Rate) = 111 trips per day

Transit: Route 19, along Stratford Road.

### **HISTORY**

Relevant Zoning Cases:

1. W-2349; RS-9 to HB; approved November 1, 1999; adjacent to and southeast of current site on northwest side of Stratford Road; 0.34 acre; Planning Board and staff recommended approval.
2. W-2156; RS-9 to HB; approved June 2, 1997; northwest side of Stratford Road west of Parrish Street; 3.63 acres; Planning Board and staff recommended approval.
3. W-1493; R-6 to B-3-S (Stores or shops, retail; Agriculture); approved January 4, 1988; portion of current site and northwest corner of Stratford Road and Hewes Street; 1.67 acres; Planning Board recommended approval, staff recommended denial.



4. F-696; R-6 to B-3; approved May 29, 1984; northwest side of Stratford Road southwest of current site; 1.03 acres; Planning Board and staff recommended approval.
5. F-434; R-6 to B-3; approved January 17, 1977; northwest side of Stratford Road southwest of current site; 0.75 acre; Planning Board and staff recommended approval.

### **CONFORMITY TO PLANS**

*Legacy* Growth Management Area: Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): *Legacy* recommends that commercial development be focused at activity nodes and be designed to be pedestrian friendly.

Recommendations also include preservation of existing residential neighborhoods.

Area Plan/Development Guide: *South Stratford Road Development Guide* (1989)

Relevant Development Guide Recommendation(s): The subject property is recommended to be converted to commercial use in the *South Stratford Road Development Guide*.

### **ANALYSIS**

The subject request is a petition to rezone a 0.50 acre tract from HB-S and LB to HB-S. The property is located on the south side of Hewes Street approximately 250 feet northwest of Stratford Road. The site is currently undeveloped however the majority of the property, which is zoned HB-S, was until recently the location of two small greenhouses used in conjunction with the Briar Patch Garden and Nursery which is no longer in operation.

The surrounding properties comprise a mixture of uses including a small church across Hewes Street zoned RS-9, the above mentioned unoccupied commercial structure zoned HB-S and a single family residence to the west which is zoned LB. Several single family residences remain viable further down Hewes Street which reconnects back to Stratford Road.

The majority of the current request is zoned HB-S which allows many uses including ABC Store and Convenience Store. The current request does not include these uses but does add the use Building Contractor, General. Staff has no objections with the proposed uses. The *South Stratford Road Development Guide* recommends commercial zoning for the interior block bordered by Hewes Street. During interdepartmental review, the petitioner agreed to locate all off-street parking to the rear of the building. This measure will soften the commercial character of the proposed request by enhancing the appearance of the site as viewed from the public street. With this site plan issue addressed, staff recommends approval.

### **FINDINGS**

1. *Legacy* recommends that commercial development be focused at activity nodes and be designed to be pedestrian friendly. Recommendations also include preservation of existing residential neighborhoods.
2. *South Stratford Road Development Guide* recommends commercial use for the subject property.

3. The existing zoning and majority of the surrounding zoning is comparable to the requested HB-S designation.
4. Petitioner has agreed to modify the site plan with parking being located to the rear of the principle structure.

### **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

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

- **OTHER REQUIREMENTS**
  - a. Only one freestanding sign shall be permitted on this property. Said sign shall be a monument type with a maximum height of five (5) feet.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

### **WORK SESSION**

MOTION: Kerry Avant moved approval of the zoning map amendment.

SECOND: Philip Doyle

VOTE:

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

AGAINST: None

EXCUSED: None

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

SECOND: Philip Doyle

VOTE:

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

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning