

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3339
<b>Staff</b>	<a href="#">Bryan D. Wilson</a>
<b>Petitioner(s)</b>	Crown/Hanes Square Circle, LLC
<b>Owner(s)</b>	Same
<b>Subject Property</b>	PIN #6814-05-3659
<b>Address</b>	100 Hanes Square Circle.
<b>Type of Request</b>	A site plan amendment to remove the condition allowing only one (1) Restaurant (with drive-through service) on a GB-S zoned site.
<b>Proposal</b>	<p>The petitioner is requesting a site plan amendment to the existing GB-S zoned property.</p> <p>The approved uses from the previously approved zoning case (W-2253) for this site are:</p> <p>Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Motorcycle Dealer; Outdoor Display Retail; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; Recreation Services, Indoor; Theater, Indoor; Shopping Center; Banking and Financial Services; Hotel or Motel; Motor Vehicle Rental and Leasing; Motor Vehicle Repair and Maintenance; Offices; and Child Day Care Center.</p>
<b>Neighborhood Contact/Meeting</b>	<p>Per a letter received by staff from the petitioner on July 28<sup>th</sup>, 2017:</p> <p>Dear Members:</p> <p>In response to the request to have a neighborhood outreach effort made to our adjoining neighbors within 500' of the subject property we have scheduled and performed the following:</p> <ol style="list-style-type: none"> <li>1) We identified the ownership management entities of all facilities and a single residential property located within the required within 500' of each individual property line.</li> <li>2) Company representatives either personally contacted directly those individuals that were available at each subject property or the ownership entities were contacted via correspondence.</li> <li>3) With said contact the proposed project was described in detail and opinions of the individual contacts were solicited. Generally speaking the neighbors were receptive to the personal visit by our representative Ms. Amy Ducat.</li> <li>4) We have additionally sent written correspondence to Ms. Rebecca Baird at her mailing address explaining the proposal as we touch her undeveloped residential lot, but have received no response to date.</li> </ol>

We received mixed responses from the adjoining businesses with approximately a 50% split of the support for our proposal. Realizing that many of the surrounding properties contain business competitors we did not expect to have our project enthusiastically endorsed, however we appreciated their time in listening to our presentation.

-Kim Phillips AIA

**GENERAL SITE INFORMATION**

**Location** Southeast corner of Hanes Mall Boulevard and Hanes Square Circle

**Jurisdiction** City of Winston-Salem

**Ward(s)** Southwest

**Site Acreage** ± 1.73 acres

**Current Land Use** The site is developed with a 6,023 square foot restaurant building which is currently unoccupied. The former tenant of the building was Newk’s Eatery.

<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	GB-S	Retail Store (Kohl’s)
	East	GB-S	Mixed Retail and Restaurant (without-drive through)
	South	GB-S	Restaurant (without-drive through) (Tin Tin Asian Buffet)
	West	GB-S	Retail Store (David’s Bridal)

**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 Restaurant (with drive-through service) use is compatible with the other commercial uses permitted on the adjacent GB-S properties.

**Physical Characteristics** The site is developed with an existing 6023 square foot, one story brick building that is surrounded by head-in and 60° parking. The site has a gentle slope to the north end of the property. Both the Hanes Mall Boulevard, and the Hanes Square Circle streetyard contain deciduous trees.

**Proximity to Water and Sewer** The site has access to public water and sewer.

**Stormwater/ Drainage** The site is currently managed with existing stormwater infrastructure.

**Watershed and Overlay Districts** The site is not located in a water supply watershed.

**Analysis of General Site Information** This site is located within the Hanes Square Shopping Center. The site is developed with an existing brick building that was formerly utilized as a sit-down restaurant. The building is surrounded by paved parking, and an associated streetyard. This site is located within the Hanes Mall Boulevard Activity Center.

<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>Average Daily Trip Count</b>	<b>Capacity at Level of Service D</b>
Hanes Mall Boulevard	Boulevard	178'	28,000	65,300
Hanes Square Circle	Private Street	605'	N/A	N/A
<b>Proposed Access Point(s)</b>	The site plan proposes full access onto Hanes Square Circle.			
<b>Trip Generation - Existing/Proposed</b>	<p><u>Approved use: Restaurant (without drive-through service)</u>          6,023/1000 x 127.15 High-Turnover (Sit Down) Restaurant          = 765.82 trips per day</p> <p><u>Proposed site plan amendment:</u>          6,023/1000 x 496.12 (Fast Food Restaurant With Drive-Through Service Trip Rate) = 2,988 trips per day</p>			
<b>Sidewalks</b>	Sidewalks are located along both sides of Hanes Mall Boulevard.			
<b>Transit</b>	Route 81 runs along Hanes Mall Boulevard.			
<b>Analysis of Site Access and Transportation Information</b>	The proposed point of access into the site is from Hanes Square Circle and is in the same location as the approved plan. The overall parking layout and circulation will remain largely intact. The site has access to sidewalk and transit accommodations.			
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>				
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 3 - Suburban Neighborhoods			
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>Promote a pedestrian –friendly orientation for new development and redevelopment and reduce the visual dominance of parking areas</li> </ul>			
<b>Relevant Area Plan(s)</b>	<i>Southwest Suburban Area Plan Update (2015)</i>			
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>The Area Plan recommends mixed use development for this location.</li> <li>Use sidewalks and street trees wherever possible to enhance the pedestrian orientation. Feature buildings with pedestrian-scaled architectural detailing.</li> <li>Include appropriately-scaled signage coordinated within the development. Signs should be scaled for both the automobile and the pedestrian</li> </ul>			
<b>Site Located Along Growth Corridor?</b>	The site is not located along a Growth Corridor.			

<b>Site Located within Activity Center?</b>	This site is located in the Hanes Mall Boulevard Activity Center.					
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(3) - Have changing conditions substantially affected the area in the petition?</b>					
	No					
	<b>(R)(4) - Is the requested action in conformance with <i>Legacy 2030</i>?</b>					
Yes						
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>The subject property is located within the Hanes Square Shopping Center which was approved in 1998. The approved site plan contains a condition which allows for only one (1) restaurant with drive-through. There is an existing restaurant with drive-through in this development (Kentucky Fried Chicken/Long Johns Silvers). The development pattern within the Hanes Mall Activity Center has evolved to contain mixed commercial development in the intervening time period, thus obviating the limitation of restaurants with drive-through service. The approval of this request would allow for a second restaurant with drive-through in the Hanes Square Shopping Center.</p> <p>Staff recommends the continuance of the condition regarding monument signage height and area. Staff also recommends the continuance of the condition that restricts building square footage of more than 50,000 square feet, excluding the use hotel. Additionally, staff recommends a new condition requiring the installation of streetyard shrubbery along Hanes Mall Boulevard.</p>					
<b>RELEVANT ZONING HISTORIES</b>						
<b>Case</b>	<b>Request</b>	<b>Decision &amp; Date</b>	<b>Direction from Site</b>	<b>Acreage</b>	<b>Recommendation</b>	
					<b>Staff</b>	<b>CCPB</b>
W-2253	GB-S to GB-S (multiple)	Approved 8-19-98	Included current site	10.45 Acres	Approval	Approval
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>						
<b>Building Square Footage</b>	<b>Square Footage</b>			<b>Placement on Site</b>		
	6,023 SF			Central portion of the site		
<b>Parking</b>	<b>Required</b>		<b>Proposed</b>		<b>Layout</b>	
	56 spaces		72 spaces		Head-in and 60° parking surround the building.	
<b>Building Height</b>	<b>Maximum</b>			<b>Proposed</b>		
	60'			23'		
<b>Impervious Coverage</b>	<b>Maximum</b>			<b>Proposed</b>		
	N/A			73%		
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Chapter B, Article II, Section 2-1.3 (J) General Business District</li> </ul>					

Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy 2030</i> policies:	Yes
	(B) <i>Environmental Ord.</i>	N/A
	(C) <i>Subdivision Regulations</i>	N/A
Analysis of Site Plan Compliance with UDO Requirements	The proposed site plan accommodates a 6,023 square foot restaurant with one drive through lane.	
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>		
<b>Positive Aspects of Proposal</b>		<b>Negative Aspects of Proposal</b>
The request will facilitate the use of an unoccupied site which has been commercially zoned for 23 years.		The estimated trip generation is higher for the proposed use than for the use shown on the approved site plan.
The proposed use will utilize existing transportation network infrastructure.		
The proposed use is congruent with the concentration of mixed commercial uses within the Hanes Mall Boulevard Activity Center.		
<b>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</b>		
<p>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.</p> <ul style="list-style-type: none"> <li>• <b><u>PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY PERMITS:</u></b> <ul style="list-style-type: none"> <li>a. Developer shall install streetyard shrubs consistent with the streetyard requirements of UDO Section B.3-4.3(B).</li> </ul> </li> <li>• <b><u>OTHER REQUIREMENTS:</u></b> <ul style="list-style-type: none"> <li>a. The subject property shall be limited to one (1) freestanding six (6) foot high monument sign with a maximum copy area of thirty-six (36) square feet.</li> <li>b. Excluding the use hotel, the subject property shall not contain a building with more than 50,000 square feet.</li> </ul> </li> </ul>		

**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.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3339  
AUGUST 10, 2017**

Aaron King presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

George Bryan: Why was there an attempt to limit the number of drive thru restaurants in this area? Did it have to do with traffic? Paul Norby: This area was primarily zoned as a retail area. They wanted restaurants that were sit down restaurants and were not interested in high traffic generating fast food types of businesses in the area. The intent was to keep the high traffic fast food uses at a minimum in this area.

MOTION: Clarence Lambe moved approval of the Site Plan Amendment and certified that the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: Chris Leak

VOTE:

FOR: George Bryan, Melynda Dunigan, Arnold King, Clarence Lambe, Chris Leak,  
Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning and Development Services