August 23, 2017

Crown/Hanes Square Circle LLC
PO Box 341
Dobson, NC 27017

Re: Site Plan Amendment W-3339

Dear Petitioner:

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 and Development Services

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

**DATE:** August 23, 2017  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning and Development Services

### COUNCIL ACTION REQUEST:

Request for Public Hearing on Site Plan Amendment of Crown/Hanes Square Circle LLC

### SUMMARY OF INFORMATION:

A. Site Plan Amendment of Crown/Hanes Square Circle LLC for a Restaurant (with drive-through service) in a GB-S zoning district: property is located on the southeast corner of Hanes Mall Boulevard and Hanes Square Circle (Zoning Docket W-3339).

B. Ordinance amending the *Unified Development Ordinances* of Winston-Salem/Forsyth County and the Official Zoning Map.

C. Approval of Site Plan Amendment.

D. Approval of Site Plan.

### 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

Site Plan Amendment of Crown/Hanes Square Circle LLC,
Docket W-3339

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 granting a Site Plan Amendment to remove the condition allowing only one (1) Restaurant (with drive-through service) for property zoned GB-S (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) and described as follows:

PIN #6814-05-3659

Section 2. This Ordinance is adopted after approval of the site plan entitled Bakery Café and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, to Crown/Hanes Square Circle 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 Bakery Cafe. 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 Crown/Hanes Square Circle LLC, (Zoning Docket W-3339). 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 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 approved by the Winston-Salem City Council the _____ day of _____________________, 20____" and signed, provided the property is developed in accordance with requirements of the GB-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 CERTIFICATE(S) OF OCCUPANCY PERMITS:**
  a. Developer shall install streetyard shrubs consistent with the streetyard requirements of UDO Section B.3-4.3(B).

- **OTHER REQUIREMENTS:**
  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.
  b. Excluding the use hotel, the subject property shall not contain a building with more than 50,000 square feet.
### PETITION INFORMATION

<table>
<thead>
<tr>
<th><strong>Docket #</strong></th>
<th>W-3339</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff</strong></td>
<td>Bryan D. Wilson</td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
<td>Crown/Hanes Square Circle, LLC</td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
<td>Same</td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
<td>PIN #6814-05-3659</td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>100 Hanes Square Circle.</td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
<td>A site plan amendment to remove the condition allowing only one (1) Restaurant (with drive-through service) on a GB-S zoned site.</td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting a site plan amendment to the existing GB-S zoned property. The approved uses from the previously approved zoning case (W-2253) for this site are: 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.

**Neighborhood Contact/Meeting**

Per a letter received by staff from the petitioner on July 28th, 2017:

Dear Members:

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:

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.

2) Company representatives either personally contacted directly those individuals that were available at each subject property or the ownership entities were contacted via correspondence.

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.

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.
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

<table>
<thead>
<tr>
<th>Location</th>
<th>Southeast corner of Hanes Mall Boulevard and Hanes Square Circle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Southwest</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 1.73 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>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.</td>
</tr>
</tbody>
</table>

#### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>GB-S</td>
<td>Retail Store (Kohl’s)</td>
</tr>
<tr>
<td>East</td>
<td>GB-S</td>
<td>Mixed Retail and Restaurant (without-drive through)</td>
</tr>
<tr>
<td>South</td>
<td>GB-S</td>
<td>Restaurant (without-drive through) (Tin Tin Asian Buffet)</td>
</tr>
<tr>
<td>West</td>
<td>GB-S</td>
<td>Retail Store (David’s Bridal)</td>
</tr>
</tbody>
</table>

#### 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.
## SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hanes Mall Boulevard</td>
<td>Boulevard</td>
<td>178’</td>
<td>28,000</td>
<td>65,300</td>
</tr>
<tr>
<td>Hanes Square Circle</td>
<td>Private Street</td>
<td>605’</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**
The site plan proposes full access onto Hanes Square Circle.

**Trip Generation - Existing/Proposed**
Approved use: Restaurant (without drive-through service)
6,023/1000 x 127.15 High-Turnover (Sit Down) Restaurant = 765.82 trips per day

Proposed site plan amendment:
6,023/1000 x 496.12 (Fast Food Restaurant With Drive-Through Service Trip Rate) = 2,988 trips per day

**Sidewalks**
Sidewalks are located along both sides of Hanes Mall Boulevard.

**Transit**
Route 81 runs along Hanes Mall Boulevard.

**Analysis of Site Access and Transportation Information**
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.

## CONFORMITY TO PLANS AND PLANNING ISSUES

**Legacy 2030 Growth Management Area**
Growth Management Area 3 - Suburban Neighborhoods

**Relevant Legacy 2030 Recommendations**
- Promote a pedestrian–friendly orientation for new development and redevelopment and reduce the visual dominance of parking areas

**Relevant Area Plan(s)**
Southwest Suburban Area Plan Update (2015)

**Area Plan Recommendations**
- The Area Plan recommends mixed use development for this location.
- Use sidewalks and street trees wherever possible to enhance the pedestrian orientation. Feature buildings with pedestrian-scaled architectural detailing.
- Include appropriately-scaled signage coordinated within the development. Signs should be scaled for both the automobile and the pedestrian

**Site Located Along Growth Corridor?**
The site is not located along a Growth Corridor.
This site is located in the Hanes Mall Boulevard Activity Center.

**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 2030*?
Yes

**Analysis of Conformity to Plans and Planning Issues**

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.

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.

### 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>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Staff</td>
</tr>
<tr>
<td>W-2253</td>
<td>GB-S to GB-S (multiple)</td>
<td>Approved 8-19-98</td>
<td>Included current site</td>
<td>10.45 Acres</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6,023 SF</td>
<td>Central portion of the site</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>56 spaces</td>
<td>72 spaces</td>
<td>Head-in and 60° parking surround the building.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>60’</td>
<td>23’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N/A</td>
<td>73%</td>
</tr>
</tbody>
</table>

**UDO Sections Relevant to Subject Request**

- Chapter B, Article II, Section 2-1.3 (J) General Business District
| Complies with Chapter B, Article VII, Section 7-5.3 | (A) Legacy 2030 policies: | Yes |
| (B) Environmental Ord. | N/A |
| (C) Subdivision Regulations | 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.

<table>
<thead>
<tr>
<th>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</th>
</tr>
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<tbody>
<tr>
<td><strong>Positive Aspects of Proposal</strong></td>
</tr>
<tr>
<td>The request will facilitate the use of an unoccupied site which has been commercially zoned for 23 years.</td>
</tr>
<tr>
<td>The proposed use will utilize existing transportation network infrastructure.</td>
</tr>
<tr>
<td>The proposed use is congruent with the concentration of mixed commercial uses within the Hanes Mall Boulevard Activity Center.</td>
</tr>
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<table>
<thead>
<tr>
<th>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
</tr>
</tbody>
</table>

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY PERMITS:**
  a. Developer shall install streetyard shrubs consistent with the streetyard requirements of UDO Section B.3-4.3(B).

- **OTHER REQUIREMENTS:**
  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.
  b. Excluding the use hotel, the subject property shall not contain a building with more than 50,000 square feet.

**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.**
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 zoning.
SECOND: Chris Leak
VOTE:
  FOR: George Bryan, Melynda Dunigan, Arnold King, Clarence Lambe, Chris Leak, Brenda Smith, Allan Younger
  AGAINST: None
  EXCUSED: None

____________________________
A. Paul Norby, FAICP
Director of Planning and Development Services
PROPOSED ZONING:
Site Plan Amendment

EXISTING ZONING:
GB-S

PETITIONER:
Crown/Hanes Square Circle LLC

DOCKET #: W3339

SCALE:
1" represents 300'

STAFF:
Wilson

GMA:
3

ACRES:
1.73

NEAREST BLDG:
52' west

MAP(S):
6814.01
Southwest Suburban Area Plan, 2015

Proposed land uses shown are generalized. See area plan for specific recommendations.

Proposed Land Use
- Large-Lot Residential (over 5Ac)
- Single-Family Residential (0-5 Du/Ac)
- Low-Density Attached Residential (0-8 Du/Ac)
- Intermediate-Density Residential (8-15 Du/Ac)
- High-Density Residential (over 15 DU/Ac)
- Office
- Mixed-Use Development
- Commercial
- Institutional
- Park
- Open space
- Commercial Recreation
- Utilities
- Activity Center
- Special Land Use Condition Area

Growth Corridors
- Rural Form - Large-Lot Residential
- Suburban Form - Commercial/Office/Multifamily

Case W3339

Hanes Mall Boulevard

South Stratford Road
INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE  
Project Case Number: W3339

<table>
<thead>
<tr>
<th>PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests, Subdivisions, and Planning Board Review items; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. A list of recommended conditions from this Interdepartmental Review will be sent to you via e-mail generally by the end of the business day on Friday the week prior to the Planning Board Public Hearing.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROJECT CASE NUMBER: W3339 PROJECT TITLE: Bakery Café DATE: July 26, 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT DESCRIPTION: Southeast corner of Hanes Mall Boulevard and Hanes Square Circle (Southwest Ward)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NCDOT (Wright Archer)- Phone # - 336.747.7900 Email: <a href="mailto:warcher@ncdot.gov">warcher@ncdot.gov</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>No Comments</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WSDOT (Connie James)- Phone # - 336.747.6872 Email: <a href="mailto:conniej@cityofws.org">conniej@cityofws.org</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>No Comments</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Engineering (Al Gaskill)- Phone # - 336.747.6846 Email: <a href="mailto:albertcg@cityofws.org">albertcg@cityofws.org</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>No comments</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Inspections - Phone # - Aaron King - 336.747.7068 Email: <a href="mailto:aaronk@cityofws.org">aaronk@cityofws.org</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>No Comment</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Erosion Control (Matt Osborne)- Phone # - 336.747.7453 Email: <a href="mailto:matthewo@cityofws.org">matthewo@cityofws.org</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>An Environmental Grading and Erosion Control Permit will be required if more than 10,000 square feet is to be disturbed during any potential construction. An Erosion and Sedimentation Control plan must be submitted and approved before the permit can be issued. Please submit this plan at least 30 days prior to the intended start date of construction.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Stormwater Division (Joe Fogarty)- Phone # - 336.747.6961 Email: <a href="mailto:josephf@cityofws.org">josephf@cityofws.org</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>No Comment</td>
</tr>
</tbody>
</table>

| City Fire- (Doug Coble) - Phone # - 336.734.1290 Email: douglasc@cityofwsfire.org County Fire- (Tony Stewart)- Phone # - 336.703.2562 Email: stewartaj@forsyth.cc |
### Utilities (Jack Fitzgerald)- Phone # - 336.747.7309 Email: jackf@cityofws.org

Any existing water and/or sewer connections will require evaluation for compliance with backflow preventer requirements, connection serviceability, and/or termination at the main. All water connections will require a backflow preventer. Water meters purchased through COWS.

### Sanitation (Johnnie Taylor)- Phone # - 336.748.3080 Email: johnniet@cityofws.org

Approved

### Planning (Aaron King)- Phone # - 336.747.7068 Email: aaronk@cityofws.org

Correct purpose statement to request a site plan amendment rather than a rezoning; Correct existing and proposed built upon area calcs; 2 bike parking spaces are required not 1; 5 drive through stacking spaces are required not 3; Signage condition- 6’ height/36sf copy area; Building size condition carried forward; Install required streetyard shrubs along Hanes Mall Boulevard.

### Street Names/Addresses (Matt Hamby) - 336. 747.7074 Email: hambyme@mapforsyth.org

Address will remain
100 Hanes Square Cir.

### Forsyth County Health Department - 336.703-3110 Email: rakescd@forsyth.cc

No Comment