DOCKET #: W1714

PROPOSED ZONING:
Final Development Plan Approval
(Shopping Center-TWO PHASE)

EXISTING ZONING:
HB-S

PETITIONER:
McFaddin for property
owned by Mageras Family, LLC

SCALE: 1" represents 800'
STAFF: Roberts
GMA: 3
ACRE(S): 4
MAP(S): 624890

FLOODWAY

FLOODWAY FRINGE
ZONING STAFF REPORT

DOCKET #    W-1714
STAFF:      Gary Roberts

Petitioner(s): McFaddin Blanding
Ownership:    Mageras Family, LLC

REQUEST

From:       HB-S (Shopping Center)
To:         Final Development Plan for a Restaurant

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

Acreage: 4 acres

LOCATION

Street:    South side of Hanes Mill Road, east of Summit Square Boulevard.
Jurisdiction: City of Winston-Salem.
Ward:      Northeast.

SITE PLAN

Proposed Use: Restaurant without drive through.
Building Height: 60 foot maximum.
Parking: Required: 144 spaces; proposed: 154 spaces.
Bufferyard Requirements: No bufferyards required adjacent to HB-S.
Vehicular Use Landscaping Standards Requirements: UDO standards apply.

HISTORY

The most pertinent rezoning case was the request for B-3-S zoning, (converted to HB-S with the adoption of the UDO in 1995), of which the current Final Development Plan is a part. The case was originally approved by the City Council May 6, 1991, with the following conditions (only the relevant conditions pertaining to outparcel sites are listed):

a. All outparcels and future development areas must receive Final Development Plan approval from the City-County Planning Board prior to the issuance of building permits.
b. As volunteered by the developer, architectural standards will be established for outparcels that complement the shopping center, as well as a structure to enforce compliance with these standards.
c. The following are outparcel requirements:
1. A twenty-five foot Vehicular Landscape Ordinance streetyard shall be installed along all frontages on University Parkway and Patterson Avenue.
2. All outparcels must provide parking in accordance with the City Zoning Ordinance on their sites and are not allowed to borrow parking from the shopping center parking lot.
3. Access to each outparcel shall be located either on Summit Square Boulevard or Summit Point Lane (private). No outparcel shall be allowed direct access to University Parkway or Patterson Avenue.
4. Each outparcel shall be allowed one freestanding ground sign. Sign shall be a maximum of five (5) feet in height feet and shall be restricted to a maximum of thirty-six (36) square feet for advertising or copy area. Note: The current application of this height limitation actually allows for a six (6) foot high sign as the previous interpretation of sign height was measured to the top of the copy area rather than the top of the sign structure.

To date, five Final Development Plans for outparcels have been approved in the TWO PHASE portion of this rezoning petition. A Burger King has been built on the northeast corner of University Parkway and one of the entrance drives to Summit Square Shopping Center. A Taco Bell and a Hot 'N' Now have been built at the south corner of Summit Square Boulevard, Summit Point Lane (private), and University Parkway. A Boston Market restaurant is located at the northeast corner of Summit Square Boulevard and University Parkway, and a Parrish Tire Store is located on Summit Square Boulevard beside Boston Market. All of these outparcels were developed in accordance with the conditions of the original rezoning petition as discussed above.

ANALYSIS

This proposed Final Development Plan is for a 10,825 square foot Ryan’s restaurant. The site fronts along Hanes Mill Road, however the access is via Summit Square Court, (private), which connects to both Summit Square Boulevard and to Hanes Mill Court, (private), which then connects to Hanes Mill Road.

The proposed Final Development Plan meets the applicable conditions of the original rezoning petition. The petitioner has also agreed to provide a sidewalk along Hanes Mill Road and utilize the same large variety tree species, to meet the streetyard requirement, as was recently used on the nearby Dollar Tree site. This would result in a more consistent streetscape along Hanes Mill Road.

STAFF RECOMMENDATION

Final Development Plan: APPROVAL, with the following conditions:

• PRIOR TO THE ISSUANCE OF GRADING PERMITS
  a. Developer shall submit a storm water study to the Inspections Division.
• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. Building improvements shall be consistent with established outparcel architectural standards and shall be approved by Planning staff.
  b. Cross access agreements shall be provided to the adjacent properties to the east and west.
  c. On-site fire hydrant locations shall be approved in writing by the City of Winston-Salem Fire Department.
  d. The street yard tree planting requirement along Hanes Mill Road shall consist of Sugar Maples planted just outside of the right-of-way and the shrub requirement being planted at the top of the slope adjacent to the parking spaces. Landscape Plan shall be submitted for approval to the Inspections Division.

• PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  a. Developer shall install a five foot wide sidewalk along the back edge of the Hanes Mill Road right-of-way.
  b. Developer shall record a negative access easement for vehicular traffic along Hanes Mill Road.
  c. All Fire Hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.

• OTHER REQUIREMENTS
  a. One freestanding monument type sign shall be permitted with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.
  b. Exterior lighting shall be of a full cut-off type with a maximum height of 18 feet.

PUBLIC HEARING
FOR: None
AGAINST: None

WORK SESSION
MOTION: Jerry Clark moved approval of the Final Development Plan, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Carol Eickmeyer
VOTE:
  FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Norwood, Smith
  AGAINST: None
  EXCUSED: None

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A. Paul Norby, AICP
Director of Planning