



# MEMORANDUM

## Town of Nags Head

### Planning & Development Department

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To: Planning Board

From: Kelly Wyatt, Planning Director  
Joe Costello, Deputy Planning Director

Date: June 14, 2024

Subject: Sketch Plan Review, Sit Down Restaurant, 7100 S. Croatan Highway

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Please find attached a Sketch Plan Review application submitted by SRE Mustang, LLC (Outlets Nags Head) and the Timmons Group for the construction of a 2,279 square foot restaurant located within the existing parking lot for Outlets Nags Head. This property is zoned C-2, General Commercial and is developed as a Shopping Center/Group Development. "Restaurant-Sit Down" is permitted by right in the C-2 District and subject to the supplemental regulations provided in Section 7.31 of the Unified Development Ordinance (below). Additionally, "Restaurant-Sit Down" is permitted within Commercial Mixed-Use Developments, such as a Group Development, pursuant to Section 7.32.3 of the Unified Development Ordinance.

#### ***Section 7.31 - Restaurant, Sit Down.***

Restaurant, sit down, is permitted in accordance with [Section 6.6](#), Table of Uses and Activities, subject to other requirements of this UDO and provided that the following conditions are met:

- 7.31.1. A restaurant site may contain more than one principal restaurant building, or one principal restaurant building in combination with another principal drive-in restaurant, or takeout restaurant building.
- 7.31.2. Uses qualifying as a restaurant shall meet the following criteria:
  - 7.31.2.1. A food preparation area that is at least twenty (20) percent of the gross building square footage of the principal building. The square footage of food preparation area located in an on-site accessory restaurant use building or a second on-site drive-in, drive-through, or takeout restaurant may be applied when calculating this minimum 20% requirement. But when calculated together (principal and accessory or second principal buildings), in no event shall the food preparation area of the principal building be permitted to be less than ten (10) percent of the principal building gross square footage; and,
  - 7.31.2.2. At least seventy-five (75) percent of all customer seats designated for full-service, full-menu dining; and,
  - 7.31.2.3. No more than fifteen (15) percent of the total building square footage devoted to accessory entertainment uses including but not limited to dance floor, lounges, bars, stages, live performance, and disc

jockey areas. Accessory entertainment uses referenced in this section shall be permitted in a restaurant establishment provided these uses are clearly subordinated in area, extent, hours of operation, and purpose to areas designated for food and/or beverage preparation, service, and consumption.

While Section 4.3, Pre-Application Meeting and Sketch Plan makes sketch plan review mandatory for new development with a total habitable building area greater than 5,000 square feet, it is recommended that any new development take advantage the sketch plan process to obtain feedback as early on possible and as such, the applicant has chosen to do so.

As noted in Section 10.84.1 of the Unified Development Ordinance, "The purpose of the sketch plan is to review projects at a conceptual level for consistency with the requirements of the commercial design standards and the UDO in general. This review should be done at the early stages of project development in order to allow for meaningful input and substantive changes to the design, if necessary. Documentation is not required to be as complete as the formal review. However, it should include rough site plan sketches with the building and parking layout, building renderings, and a narrative describing the proposed project and how it is consistent with the Town development requirements. The site plan sketch shall depict adequate space allocations for the requisite wastewater and stormwater improvements as well as vegetation/buffering requirements and site access. Applicants are encouraged to provide more than one project alternative or variations of the proposed project for review." The applicant is encouraged to incorporate the recommendations of the UDO Administrator and/or the Planning Board (if applicable) into the development plan before submittal of the formal site plan.

At this time, the Planning Department, Town Engineer, Public Works, Fire Department and Police Department have provided comments on the sketch plan package.

Below is a list of the relevant comments received thus far for your consideration:

### **Zoning**

- *Currently, there are 488 parking spaces at Outlets Nags Head. The proposed development would reduce this number by 28 spaces. According to the current parking requirements in the Unified Development Ordinance, a total of 395 parking spaces are needed. While the minimum parking standards for the Shopping Center/Group Development would still be met, there would still be an overall loss of 28 parking spaces.*
- *Although the proposed addition to Outlets Nags Head would meet the minimum parking requirements, it is important to consider that this development is extremely popular during the summer months and in inclement weather, often resulting in full parking facilities. Any reduction in parking at this site could have negative consequences. Until we have more detailed information about the proposed restaurant, a comprehensive analysis of potential parking impacts is difficult to provide.*

### **Site Design Standards**

- *Development must comply with all provisions of the Flood Damage Prevention Ordinance including elevation in compliance with the Town of Nags Head's local*

*ordinance with Regulatory Flood Protection Elevation (RFPE) of 9 ft. msl. Floodproofing may be considered for commercial structures.*

- *As proposed at this phase, lot coverage would not be affected. Should this proposal result in any change in coverage, that must be shown.*
- *Compliance with Section 10.92.14.4 of the Unified Development Ordinance, requiring 20% of the surface area of parking area and drive aisles be constructed of permeable materials.*
- *Following items shall be addressed on Landscape Plan prior to TRC:*
  - *Compliance with Section 10.93.3.2, Commercial Transitional Protective Yards required for shopping center/group development site.*
  - *Section 10.93.3.5. Buildings Adjacent to Street Frontage. Building walls adjacent to a street frontage shall include foundation landscaping directly adjacent to the building to screen any crawl space, stem wall, lattice work, or open parking areas.*
  - *Compliance with Section 10.93.3.7 as it relates to Interior Parking Lot Landscaping.*
- *Account for the location of mechanical equipment in the site plan.*
- *If existing parking lot lighting is affected, a lighting plan consistent with Section 10.37.1 of the UDO will be required prior to issuance of building permits for the proposed use. Architectural lighting will need to be reviewed as well.*
- *Provide authorization from the Dare County Environmental Health Department with regard to the existing wastewater treatment facility capacity.*

#### *Building Design Standards*

*Section 10.83 of the UDO, Design Standards, states that buildings and structures are subject to the Commercial Design Standard contained within Article 10, Part VI of the Unified Development Ordinance. Projects shall be reviewed according to the building design standards outlined in Division II of the Commercial Design Standards. Alternatively, projects adding a total habitable building area of less than 10,000 square feet may elect to comply with the building design requirements by achieving 150 points based on the criteria outlined in the Town of Nags Head Residential Design Guidelines.*

*The conceptual elevations provided in the packet are preliminary and represent the owner's/architect's initial design. Prior to the next Technical Review Committee Meeting and formal Planning Board Site Plan Review submittal, compliance with Article 10, Part VI, Commercial Design Standards must be demonstrated.*

#### **Town Engineer**

##### *Internal Traffic Circulation:*

- *A vehicular pathing exhibit is requested to demonstrate adequacy for turning radius for sanitation vehicles and fire trucks.*
- *Additional information is requested on the restaurant to include type of restaurant (ie fast food, high turnover, etc.) and time of operation to review parking generation for this type of establishment. Currently, the shopping center parking during peak periods is at or near 100% occupancy. This data will be critical in determining impacts both internal and external to the shopping center.*
- *Cross-parking easements may need to be considered if not shopping owner operated.*

##### *Stormwater Management:*

- *Built upon area calculations shall be provided to determine if additional stormwater management requirements will apply. If the amount of built upon area is less than what currently exists, no additional stormwater management requirements shall apply. If the amount of proposed built upon area exceeds what currently exists, the runoff for the additional coverage from a 4.3" rainfall event shall be accommodated on-site.*
- *It is recommended the applicant consider the use of permeable pavement or pervious pavers.*

### **Public Works/Water**

- *Ensure that the front load sanitation truck can easily turn into and back out of the entry for dumpster pick up. Pathing exhibit required to ensure turn radius can be met.*

### **Building Inspections**

- *Review is limited until receipt of full of set of plans, including 2018 Appendix B with Plumbing, Mechanical and Electrical.*

### **Fire**

- *Pavement markings and signage regarding the Fire Lane.*
- *Traffic generated by this proposed restaurant is unknown, therefore potential impacts cannot be identified.*

### **Police**

- *Concerns regarding the potential increase in traffic generated by the proposed restaurant, if not operated or managed by the same company as the Outlets, may need cross easements to ensure shared use of facilities.*

The applicant and planning staff will be available at this meeting for further discussion of this project.

Attachments: Sketch Plan Request & Narrative, Preliminary Site and Architectural Renderings.



# MEMORANDUM

## Town of Nags Head

### Planning & Development Department

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To: Planning Board

From: Kelly Wyatt, Planning Director  
Joe Costello, Deputy Planning Director

Date: June 14, 2024

Subject: Sketch Plan Review, Starbucks Restaurant, 7100 S. Croatan Highway

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Attachments: Sketch Plan Request & Narrative, Preliminary Site and Architectural Renderings.



2901 S Lynnhaven Road  
Suite 200  
Virginia Beach, VA 23452

P 757.213.6679  
F 757.340.1415  
[www.timmons.com](http://www.timmons.com)

June 12, 2024

Ms. Kelly Wyatt, Planning Director  
Town of Nags Head  
5401 S. Croatan Highway  
Nags Head, North Carolina 27959

Dear Ms. Wyatt:

Timmons Group, on behalf of SRE Mustang, LLC, is submitting to you under cover of this letter a site plan and supporting building elevations for its proposed free-standing 2,279 square foot Restaurant at the Outlets located at 7100 South Croatan Highway in Nags Head. We are requesting a Sketch Plan review during the June 18th Planning Board meeting.

The proposed plan meets the requirements of the C-2 General Commercial District zoning regulations and addresses the Town's previous concerns related to the site accessibility and public safety by removing the drive-thru from the plan. Additionally, the current proposal meets the parking counts required by ordinance, and incorporates the architectural requirements in Section 10, Article VI of the Nags Head Code of Ordinances. While leasing discussions are currently confidential, the proposed tenant plans to have roughly 20 tables inside and additional outdoor seating for customers and general use. They anticipate having approximately 5 employees during any given shift.

We welcome any feedback and look forward to any upcoming dialogue.

In support of the application, we enclose with this letter the following:

- Preliminary Site Plan
- Preliminary Building Elevations and Renderings

Sincerely,

Chris Aebel, P.E.  
Senior Project Manager

PROGRESS PRINT  
 JUN 12, 2024  
 NOT FOR  
 CONSTRUCTION

THIS DRAWING PREPARED AT THE  
**VIRGINIA BEACH OFFICE**  
 2901 S. Lynnhaven Road, Suite 200 | Virginia Beach, VA 23452  
 TEL 757.213.6679 FAX 757.340.1415 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

| DATE       | REVISION DESCRIPTION |
|------------|----------------------|
| 06/12/2024 |                      |

DRAWN BY  
**R. BARNHILL**  
 CHECKED BY  
**C. AEBEL**  
 SCALE  
**1" = 20'**



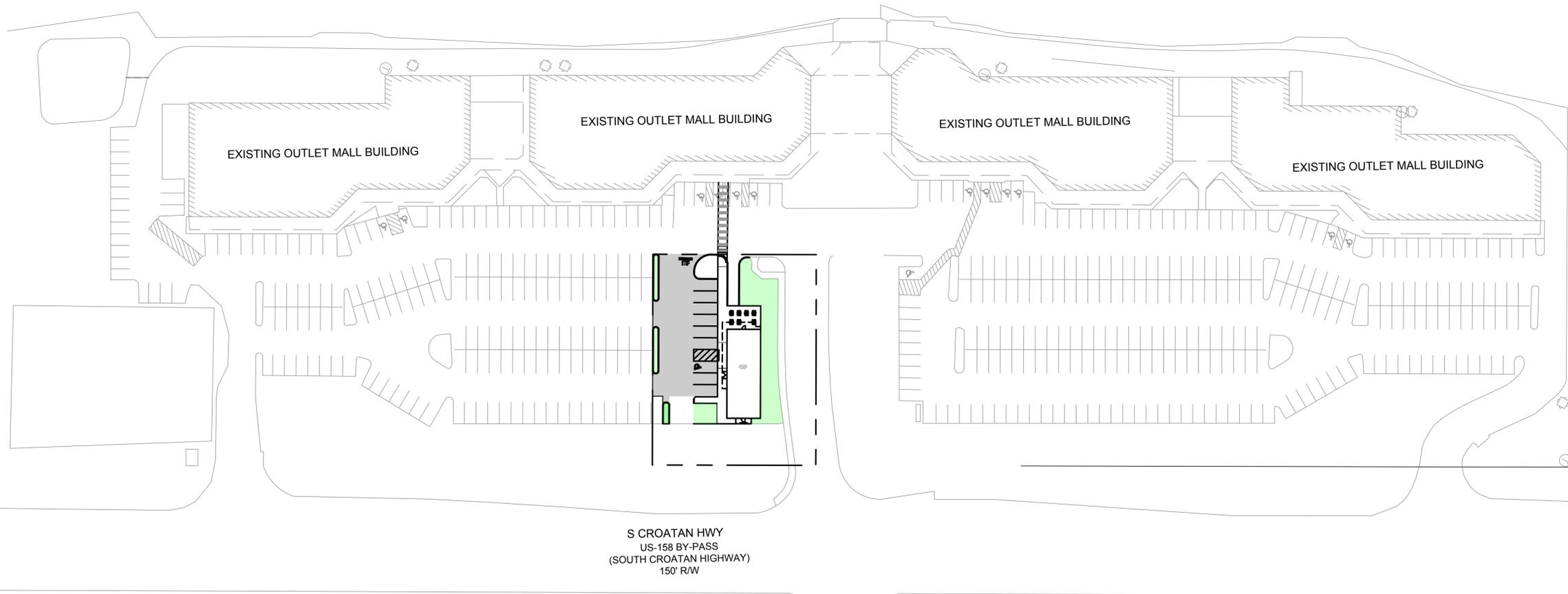
**TIMMONS GROUP**

**PROPOSED RESTAURANT**  
 OUTLETS NAGS HEAD, 7100 S. CROATAN HWY, NAGS HEAD, NORTH CAROLINA 27959

**OVERALL PLAN**

JOB NO.  
**57492**

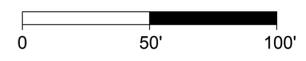
SHEET NO.  
**C1.1**



REFERENCES:  
 APPROXIMATE LOCATION OF PROPERTY LINE AND LEASE LINE FROM THE LEASE PLAN PREPARED BY LOD SYSTEMS, DATED APRIL 1, 2022.  
 BACKGROUND INFORMATION FROM ALTA/NSPS LAND TITLE SURVEY PERFORMED BY AMERICAN NATIONAL, MICHAEL O. COOK, DATED 12/22/2018



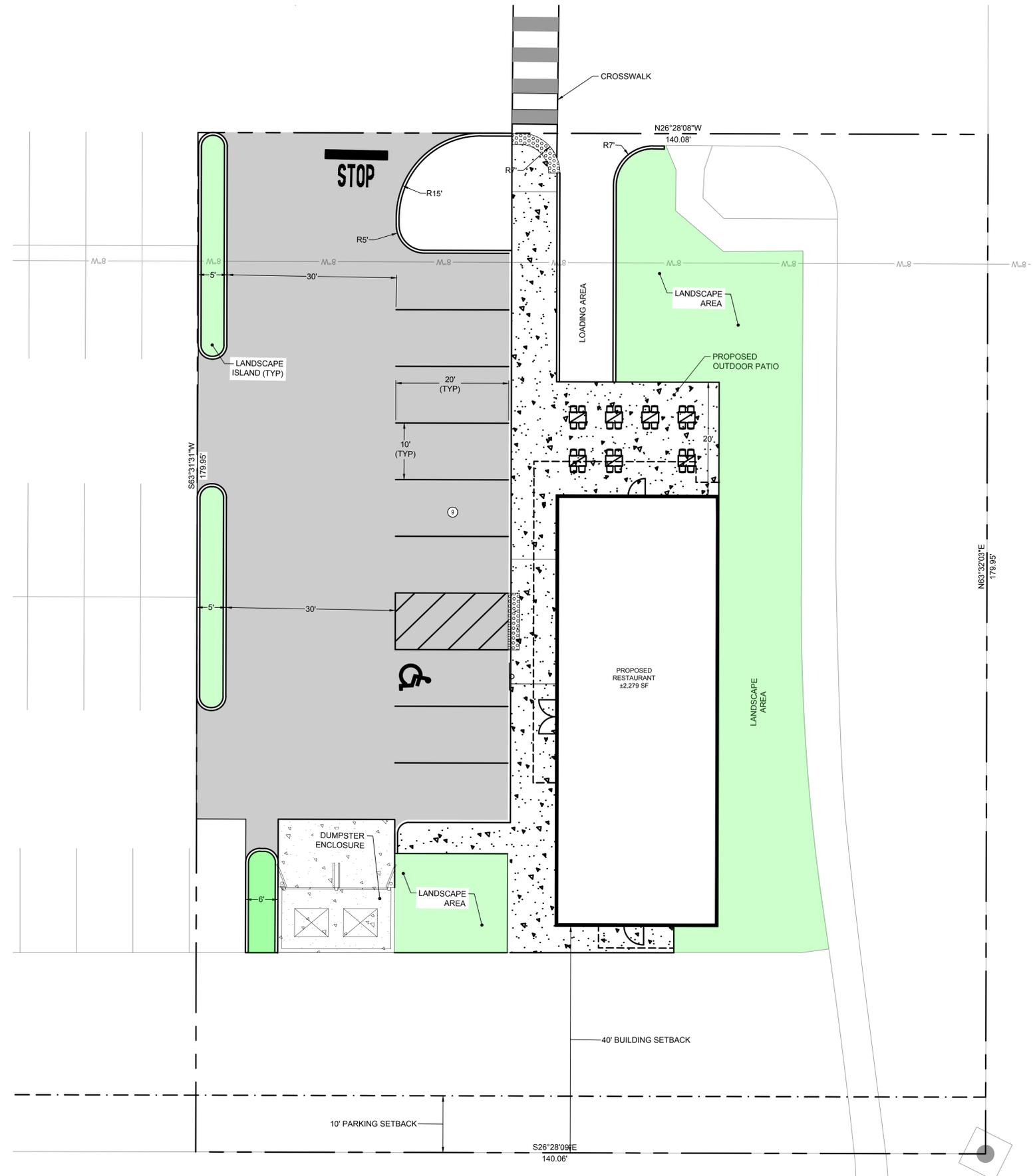
SCALE 1"=50'



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| PRELIMINARY ZONING INFORMATION   |   |            |
|--|---|------------|
| LOT SIZE   | ±49,201 SF = ±1.13 AC   |            |
| BUILDING SIZE  | 2,279 SF TOTAL  |            |
| ZONING   | C-2 GENERAL COMMERCIAL DISTRICT   |            |
| EXISTING USE   | ASSOCIATED PARKING FIELD FOR OUTLET MALL  |            |
| PROPOSED USE   | PROPOSED RESTAURANT   |            |
| ACCESS   | ACCESS VIA SOUTH COATAN HIGHWAY (US-158)<br>ONE (1) FULL ACCESS DRIVEWAY AT SIGNALIZED INTERSECTION<br>TWO (2) RIGHT IN/RIGHT OUT DRIVEWAYS |            |
| REQUIRED BUILDING SETBACKS   | FRONT: 40 FT<br>SIDE: 5 FT (ONE) / 15 FT (BOTH)<br>REAR: 25 FT  |            |
| PARKING SUMMARY  |   |            |
| RETAIL: ONE PARKING SPACE FOR EACH 250 SF OF GROSS FLOOR AREA PLUS 1 PARKING SPACE FOR EACH EMPLOYEE, BUT NO LESS THAN TWO EMPLOYEE PARKING SPACES FOR EACH RETAIL UNIT OR ESTABLISHMENT |   |            |
| RESTAURANT: ONE SPACE FOR EACH 55 SF OF CUSTOMER SERVICE AREA  |   |            |
| REQUIRED   | SPACES  |            |
| EXISTING BUILDING (83,612 SF TOTAL):   |   |            |
| RETAIL:  | (78,486 SF + 250)   | 314        |
| BROS (3,061 SF TOTAL):   | (440 SF CUSTOMER SERVICE + 55)  | 8          |
| TROPICAL SMOOTHIE (2,065 SF TOTAL):  | (440 SF CUSTOMER SERVICE + 55)  | 8          |
| EMPLOYEE PARKING EXISTING:   | @ 2 EMPLOYEES PER UNIT  | 44         |
| PROPOSED RESTAURANT:   | (825 SF CUSTOMER SERVICE + 55)  | 15         |
| EMPLOYEE PARKING PROPOSED RESTAURANT:  |   | 6          |
| <b>TOTAL REQUIRED PARKING:</b>   |   | <b>395</b> |
| PROVIDED   | SPACES  |            |
| EXISTING PARKING SPACES:   |   | 488        |
| ELIMINATE FOR PROPOSED RESTAURANT:   |   | -37        |
| PROPOSED RESTAURANT ADDITION:  |   | +9         |
| <b>TOTAL REVISED PARKING COUNT:</b>  |   | <b>460</b> |
| <b>NET PARKING ABOVE CODE REQUIREMENT (460 SPACES - 395 SPACES):</b>   |   | <b>65</b>  |
| <b>NET REDUCTION IN PARKING SPACES:</b>  |   | <b>28</b>  |



REFERENCES:  
APPROXIMATE LOCATION OF PROPERTY LINE AND LEASE LINE FROM THE LEASE PLAN PREPARED BY LOD SYSTEMS, DATED APRIL 1, 2022.  
BACKGROUND INFORMATION FROM ALTA/NSPS LAND TITLE SURVEY PERFORMED BY AMERICAN NATIONAL, MICHAEL O. COOK, DATED 12/22/2018

SCALE 1"=10'

PROGRESS PRINT  
JUN 12, 2024  
NOT FOR  
CONSTRUCTION

THIS DRAWING PREPARED AT THE  
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| REVISION DESCRIPTION | DATE |
|----------------------|------|
|                      |      |
|                      |      |
|                      |      |
|                      |      |
|                      |      |

DATE  
06/12/2024

DRAWN BY  
R. BARNHILL

DESIGNED BY  
C. AEBEL

CHECKED BY  
C. AEBEL

SCALE  
1" = 20'

# TIMMONS GROUP

**PROPOSED RESTAURANT**  
OUTLETS NAGS HEAD, 7100 S. CROATAN HWY, NAGS HEAD, NORTH CAROLINA 27959

**PROPOSED RESTAURANT SKETCH PLAN**

JOB NO.  
57492

SHEET NO.  
C1.2

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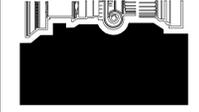
S:\10\57492-Shoplocks Nags Head\DWG\Sheet\CDC1.1 - C1.2.dwg | Printed on 6/12/2024 2:30 PM | by Rhonda Barnhill



**Ionic Design Studios**  
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 RICHMOND, VA 23233  
 804.780.0070 FAX: 804.644.1724

VIRGINIA BEACH:  
 243 INDEPENDENCE BLVD  
 FENBROKE 5 SUITE 308  
 VIRGINIA BEACH, VA 23464  
 757.491.9510 FAX: 757.491.3110



NOT FOR  
 CONSTRUCTION

Comm # 220124  
 Scale 1/4" = 1'-0"  
 Designed by: DET  
 Drawn by: AMP  
 Checked by: DET  
 Issue: 06/11/2024  
 Schematic Design 06/11/2024  
 Design Development  
 Permit Set:

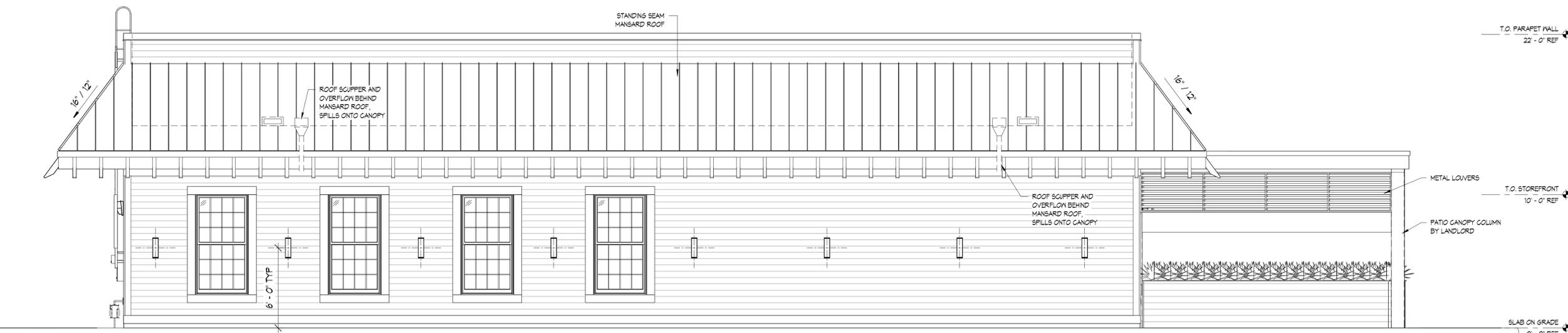
**NAGS HEAD RESTAURANT**  
 BUILDING ELEVATIONS

1100 S Crossin Hill  
 Nags Head, NC 27854

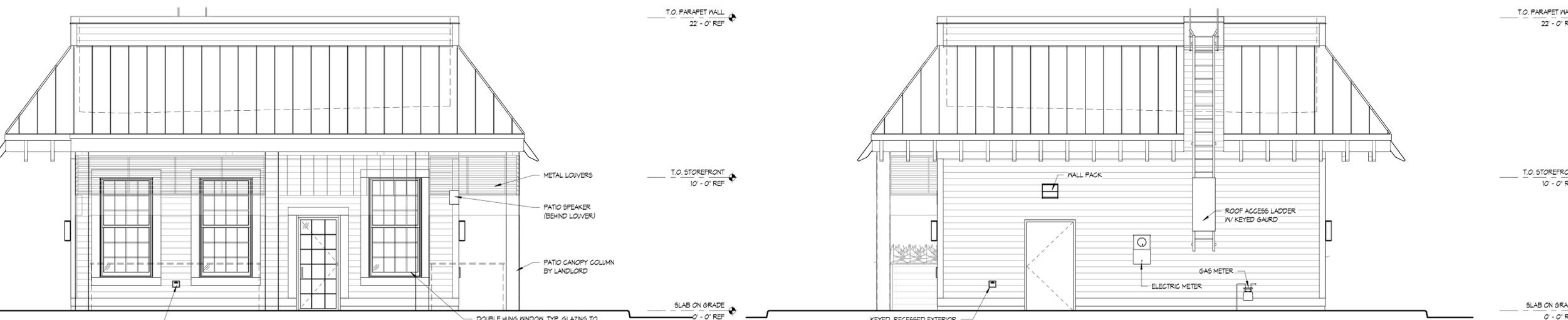
Sheet Number  
**6PK-3**



**1 FRONT ELEVATION**  
 1/4" = 1'-0"



**2 STREET ELEVATION**  
 1/4" = 1'-0"



**3 PATIO ELEVATION**  
 1/4" = 1'-0"

**4 STREET ELEVATION**  
 1/4" = 1'-0"

IONIC DESIGN STUDIOS HEREBY EXPRESSLY RESERVES THE COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THIS DESIGN AND DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER WITHOUT FIRST WRITTEN PERMISSION AND CONSENT OF IONIC DESIGN STUDIOS. FOR USE THE TO BE ASSIGNED TO ANY PARTY WITHOUT FIRST OBTAINING SHIP WRITTEN PERMISSION AND CONSENT.



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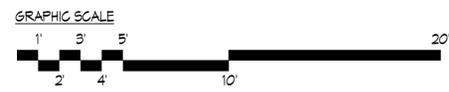


**NOT FOR CONSTRUCTION**

Comm # 220124  
Scale 1/4" = 1'-0"  
Designed by: DET  
Drawn by: AMP  
Checked by: DET  
Issue: 06/11/2024  
Schematic Design 06/11/2024  
Design Development  
Permit Set:

**NAGS HEAD RESTAURANT**  
1100 S Crossin Hill  
Nags Head, NC 27854  
**RENDERED ELEVATIONS**

Sheet Number  
**6PK-9**



**EXTERIOR FINISHES**



HA-1  
HARDIEPLANK LAP SIDING  
BEADED SMOOTH  
OCEAN TIDE



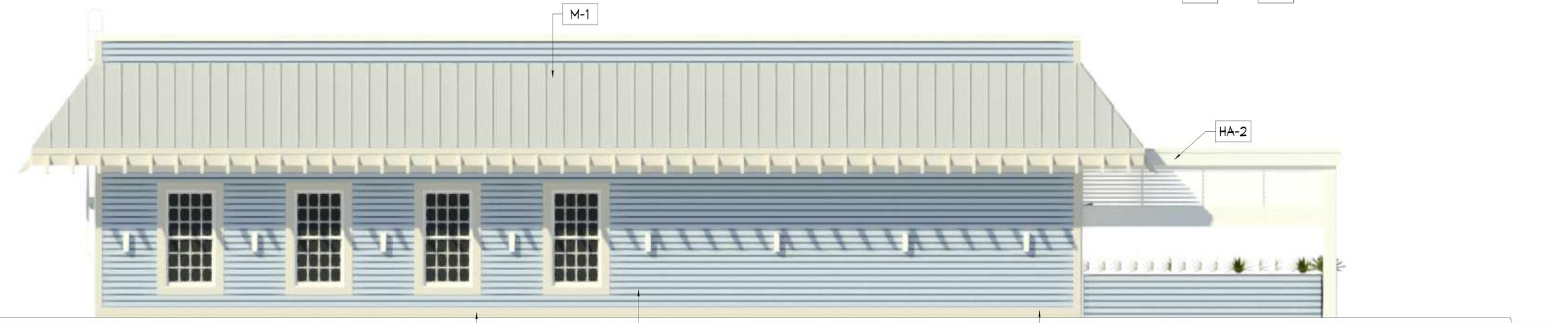
HA-2  
HARDIETRM BOARD  
COTTON WHITE



M-1  
MCELROY METAL  
STANDING SEAM METAL ROOF  
MAXIMA  
12" FLAT PANEL, 1.5" SEAM  
COLOR: PREWEATHERED  
GALVALUME METALLIC



1 FRONT ELEVATION  
1/4" = 1'-0"



2 STREET ELEVATION  
1/4" = 1'-0"



3 PATIO ELEVATION  
1/4" = 1'-0"



4 STREET ELEVATION  
1/4" = 1'-0"

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