

CITY-COUNTY PLANNING BOARD
STAFF REPORT

PETITION INFORMATION	
Docket #	W-3200
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	ARP Winston-Salem LLC
Owner(s)	Same
Subject Property	Portion of PIN#5895-55-8877
Address	The site does not currently have an address assignment.
Type of Request	Special use rezoning from HB-S to HB-S Two Phase
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB-S (Highway Business - special use district – Shopping Center) to HB-S (Highway Business – special use district Two Phase). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store; Shopping Center; Banking and Financial Services; Building Contractors, General; Car Wash; Funeral Home; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Offices; Services A; Testing and Research Lab; Recreation Services, Indoor; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Child Care, Drop-In; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; and School, Vocational or Professional
Neighborhood Contact/Meeting	The application indicates that no neighborhood meeting has been held.
Zoning District Purpose Statement	The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. However, the district is not intended to encourage or accommodate strip commercial development. Developments in this district generally have substantial front setbacks. This district is intended for application in GMAs (Growth Management Areas) 2 (Urban Neighborhoods), 3 (Suburban Neighborhoods), and 4 (Future Growth Area).
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?
	Yes, the site is currently zoned HB-S. It is also located within the Suburban Neighborhoods GMA, along a major thoroughfare and is adjacent to other HB-S zoned property.

GENERAL SITE INFORMATION				
Location	North side of Country Club Road, east of Meadowlark Drive			
Jurisdiction	City of Winston-Salem			
Ward(s)	West			
Site Acreage	± 7.52 acres			
Current Land Use	The site is currently undeveloped.			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	MU-S	Undeveloped property	
	East	RM12	Brookberry Park Apartments	
	South	RS9	One single family home on a 45 acre tract	
	West	HB-S	Undeveloped property	
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 proposed uses are compatible with the approved uses for the subject property and the uses permitted on the adjacent HB-S zoned property to the west.			
Physical Characteristics	Presently the site is fully wooded and has a moderate to steep slope downward to the northeast. The northeastern corner of the site is located within the 100 year regulatory floodplain of Muddy Creek.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Stormwater/ Drainage	The site plan shows a stormwater detention facility in the northeastern portion of the site. A stormwater study will be required.			
Watershed and Overlay Districts	The site is not located within a water supply watershed.			
Analysis of General Site Information	The site includes some steep slopes and a portion of the site is within the floodplain of Muddy Creek. Considerable grading will be required and compliance with the floodplain requirements must be completed prior to the issuance of any grading permits.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Country Club Road	Major Thoroughfare	580'	11,000	15,300
Country Club Lane	Local Street (to be constructed)	426'	NA	NA
Brookberry Drive	Private Access Easement	+/-30'	NA	NA
Proposed Access Point(s)	The site will have one full access onto Country Club Road via Country Club Lane which would be constructed in the future when either the subject property or the property directly to the west is developed. The site plan also proposes a right-in right-out access onto Country Club Road			

	between outparcels D and E at the eastern portion of the site. The eastern end of the site will have access to Brookberry Drive which is the primary entrance for the Brookberry Park Apartments.
Planned Road Improvements	The <i>Comprehensive Transportation Plan</i> recommends a three lane cross section with widened outside lanes and sidewalks for Country Club Road. There is a pending NCDOT road project to construct a westbound to northbound right turn lane at the intersection of Country Club and Meadowlark Drive. The petitioner is required to dedicate the right-of-way along Country Club Road that will accommodate the turn lane. This project is scheduled for design and construction is expected in 2013-14.
Trip Generation - Existing/Proposed	<u>Existing Zoning: HB-S</u> 71,650 / 1,000 x 42.94 (Shopping Center Trip Rate) = 3,077 Trips per Day <u>Proposed Zoning: HB-S for Parcel C:</u> 41,179 / 1,000 x 42.94 (Shopping Center Trip Rate) = 1,768 Trips per Day. Note: this trip estimate does not include the two out parcels D & E which would require Final Development Plan approval.
Sidewalks	Sidewalks are required along Country Club Road and one side of Country Club Lane. The petitioner has also agreed to provide and sidewalk along one side of the proposed driveway between outparcels D & E and along the connection to the adjacent multifamily site.
Transit	Route 12 runs along Country Club Road 1.3 miles to the east.
Connectivity	The site has good internal and external connectivity. Country Club Lane, located at the western edge of the site, will be a public street running north and south connecting Country Club Road to the undeveloped MU-S zoned property to the north. Also, after working with Planning and WSDOT staff, the petitioners agreed to provide a vehicular and pedestrian connection (similar to that shown on the approved plan) to the multifamily development to the east.
Traffic Impact Study (TIS)	A TIS is not required.
Analysis of Site Access and Transportation Information	The site has good access being located along a major thoroughfare which has excess capacity. The westernmost access point onto Country Club Road (Country Club Lane) will provide full public street access into the site and extend northward to the property line. Further east, the site plan includes a right-in right-out driveway between the two proposed outparcels. The site plan includes a vehicular and pedestrian connection to the 252 unit apartment complex to the east. This would enable the residents to conveniently access a grocery store without having to use Country Club Road.

CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	Growth Management Area 3 – Suburban Neighborhoods
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • Encourage development in areas with existing infrastructure before extending infrastructure farther. • Promote new, convenient commercial and business services to support neighborhood needs. • Promote a pedestrian-friendly orientation for new development and redevelopment and reduce the visual dominance of parking areas. • Improve transportation in GMA 3, including connectivity.
Relevant Area Plan(s)	<i>West Suburban Area Plan</i> (2011)
Area Plan Recommendations	<ul style="list-style-type: none"> • The <i>West Suburban Area Plan</i> recommends the property for commercial development. The site is within the Country Club Road/Shallowford Road Activity Center. Development within this activity center should be done comprehensively, and new development should have a pedestrian-oriented urban form with buildings near the street, transparent windows and doors, façade articulation, and parking to the side or rear of buildings. Uses within the activity center should be linked to each other and the surrounding area by pedestrian and vehicular connections. Nonresidential uses should include buffering to adjacent residential development.
Addressing	Based on the design, the eastern connection to Brookberry Park Apartments will be an extension of Brookberry Drive. A new street name will be required for the street that extends northeast off of Country Club Road and then turns northwest in front of the new building on parcel C.
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?
	See comments below
Analysis of Conformity to Plans and Planning Issues	<p>In 1998 the subject property, along with the property directly west, were rezoned from RM12 to HB-S Two Phase. A +/- 71,000 sf shopping center was shown on the approved site plan for the subject property in the same general location as is currently proposed. The plan also included a shared primary access point with Brookberry Park Apartments onto Country Club Road at the eastern end of the site. These apartments were constructed in 1999 with a stub connection to the subject property.</p> <p>The current request is required as the two year vesting of the site plan has expired and this specific site layout no longer meets the definition of a shopping Center (35,000 sf or greater with three or more tenants). Shopping Center was the only approved use in the 1998 rezoning.</p>

The *West Suburban Area Plan* recommends commercial use for the subject property; it also identifies the site as being within the Country Club Road/Shallowford Road activity center. The plan recommends development in this activity center be done in a comprehensive, pedestrian-oriented manner with buildings near the street and transparent windows and doors. The plan also recommends good internal and external pedestrian and vehicular connectivity.

The proposed commercial land uses are consistent with the recommendations of the area plan and staff concedes that urban form building placement at this particular site may be hard to achieve. However, connectivity to the existing multifamily development (as shown on the approved plan) is an essential element for consistency with the recommendations for both *Legacy* and the Country Club Road/Shallowford Road activity center.

In working with staff, the petitioner has provided some enhanced building elevations for Parcel C. These would minimize the extent of blank walls and would be consistent with the above mentioned activity center recommendations, see Elevation A.

Also, in consideration of the site’s proximity within an activity center and the adjacent MU-S and RM12 uses, staff recommends a monument signage condition.

RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3169	HB-S to HB-S Two Phase	Approved 3-4-13	Directly west	4.77	Approval	Approval
F-1392	RS9 and RS9-S to MU-S Two Phase	Approved 11-10-03	Directly north	795	Approval	Approval
F-1219	RM12 to HB-S	Approved 3-9-98	Included current site	15.51	Approval	Approval

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

Building Square Footage (Phase One)	Square Footage		Placement on Site	
	41,179		Rear portion	
Parking (Phase One)	Required	Proposed		Layout
	183 spaces	183 spaces		
Building Height (Phase One)	Maximum			Proposed
	60'			One story
Impervious Coverage (Phase One)	Maximum			Proposed
	85%			78.5%

UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.3 (I) Highway Business District Chapter B, Article II, Section 2-5 Various use conditions 	
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:	Yes
	(B) Environmental Ord.	NA
	(C) Subdivision Regulations	NA
Analysis of Site Plan Compliance with UDO Requirements	<p>The proposed Two Phase site plan consists of four parcels which are an extension of HB-S zoning approved earlier this year directly west. Parcel C, located on the northeast corner of Country Club Road and the future Country Club Lane, shows a 41,179 grocery store (see proposed elevations). Parcels D and E are located directly to the east and would require Final Development Plan approval by the Planning Board. Parcel F would accommodate a stormwater management facility.</p>	
CONCLUSIONS TO ASSIST WITH RECOMMENDATION		
Positive Aspects of Proposal		Negative Aspects of Proposal
The site has been zoned HB-S since 1998.	<p>The request would likely increase traffic on Country Club Road.</p>	
The proposed commercial land use is consistent with the commercial land use recommendation of the <i>West Suburban Area Plan</i> .		
Includes a vehicular and a pedestrian connection to the adjacent multifamily development to the east.		
The proposed building elevations for Parcel C are consistent with the activity center recommendations of the <i>West Suburban Area Plan</i> .		
The request would provide conveniently located grocery and service item needs to the local residential population.		
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL		
<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"> <u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u> <ol style="list-style-type: none"> Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment. Developer shall obtain a Floodplain Development Permit from the Erosion Control Division. 		

- c. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department and NCDOT. Required improvements include:
- Dedicate 50' of ROW from the centerline of Country Club Road as shown on site plan.
 - Widen Country Club Road as shown on site plan including the installation of curb and gutter and sidewalks with ADA detectable dome mats at all public and private intersections.
 - Construct Country Club Lane to City of Winston-Salem Public Works Department standards.
- **PRIOR TO THE ISSUANCE OF PLANS AND ELEVATIONS:**
- a. The proposed building on Parcel C shall be in substantial conformance with the submitted elevations as shown on "Elevation A" as verified by Planning staff. All rooftop HVAC equipment shall be screened from view of the adjacent public streets.
- b. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show: public street right-of-way dedication of Country Club Lane; utility easements; cross access easements for all internal streets; and negative access easements along Country Club Road.
- c. Developer shall ensure that the proposed landscaping be consistent throughout the subject property and with the landscaping used on the approved HB-S site directly west (W-3169).
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
- a. All required improvements of the City of Winston-Salem driveway permit shall be completed.
- **OTHER REQUIREMENTS:**
- a. The use of Motor Vehicle Repair and Maintenance shall be further limited to allow no: inoperable vehicles; outdoor repair of vehicles; nor outdoor display of goods/materials.
- b. Freestanding signage for Parcel C shall be limited to one (1) monument sign with a maximum height of eight (8) feet and a maximum copy area of fifty (50) square feet. Freestanding signage for Parcels D and E shall be limited to one monument sign each with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet each.

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.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3200
SEPTEMBER 12, 2013**

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

David Brandes, 1330 Lady Street, Columbia, SC 29201

- Mr. Brandes discussed the current and proposed plans.
- The decision today is not whether or not a grocery store should be placed here. That decision has already been made. The decision today is the choice between the currently approved plan and the proposed plan. The currently approved plan will be constructed if this request is not approved, but this revised plan has some benefits which make it preferable to the approved plan. Those benefits include:
 - The proposed building is smaller than the one currently permitted.
 - The parking area will have more landscaping.
 - A stormwater pond can be utilized.
 - Additional outparcels will have more interconnectivity.
 - There will be fewer parking spaces.
 - Improved pedestrian connectivity with sidewalks and bicycle racks will be provided.
 - There will be road improvements along Country Club Road and Meadowlark Drive to help resolve some of the existing issues.
 - Impervious surface coverage will decrease as a result of this plan.
 - Fewer trips per day are anticipated from this smaller store than from the larger, currently approved store.
 - We are separating the buildings so they are no longer one particular lump.
- Zoning protects the property owner so he knows what he can do with his property. It also protects the community because they know what is planned for the property.
- Planning for this area has gone on for years. The community decided that this area was where an intensive community use would be located. All we are doing is following through with the plan that was developed.
- This is a grocery store, not a big box super store.

- Unfortunately the newspaper article included the picture of a supercenter rather than a single grocery store. This creates certain kinds of emotions and certain kinds of connotations.
- This is completely a different model than the Wal-Mart superstore. It is no different than Harris Teeter. It is no different than any other grocery store you go into.
- Having grocery stores two or three miles away adds to the traffic because you have to go through the congested intersections to get to those locations.
- This is a neighborhood grocery store and will actually reduce some of that traffic. This is not a destination shopping center. It will be a pass-by store meaning people will already be on the road and stop on their way home to get their groceries.
- The proposed plan will definitely have less impact than the currently approved plan.
- The interconnectivity to the multifamily means people don't have to get on the main roads to get to the grocery store.

AGAINST:

Don Carter, 510 Ashbury Run Drive, Winston-Salem, NC 27106

- Mr. Curtis said earlier that the plan we need to work for is the plan for the whole community. This is a plan by a large multi-billion dollar company with a gentleman from South Carolina representing them on something which will impact me as a nearby property owner.
- I've lived in the neighborhood for five years. I've not received any notification about the Sheetz or this case. If it were not for the media none of us would have known of this issue.
- I have a safety issue concern. I use the greenway here. There is tremendous congestion at Meadowlark/Country Club early morning. This is right behind my children's schools.
- We have numerous grocery stores in this area and a Wal-Mart supercenter probably two miles away. I pass three grocery stores on my personal route home. I can stop at any of them.
- I am opposed to this as are all the people in this room. It's time for you to think about the communities in the neighborhood that are going to be impacted not the gains of the corporation from out-of-state.
- We would like for this to be continued to allow us to mobilize ourselves.
- The petitioners have had since 1998 to plan. We have had less than 48 hours.

Michelle Soyars, 4965 Shady Maple Lane, Winston-Salem, NC 27106

- The *Legacy* plan is an amazing piece of work. I'm excited to live in a city with this kind of vision. Those of us who live in this area feel like we already live here. We live in a place with amazing homes, an amazing Greenway, a fabulous school system, a great multifunctional space at the other end of the road.
- To suddenly drop a 42,000 square-foot Wal-Mart at the end of the road, down at the end of the road feels like a significant departure from this plan for us. This is the gateway to a cycling community where people bike and run. The construction issues, the congestion issues, the safety issues are all significant.
- They keep calling it a grocery store. It's a Wal-Mart.

- We were not made aware of this issue until 48 hours ago. At the very least we would like to be able to sit down and discuss the opportunity with the developers, understand the proposal, have some input into the proposal, look at landscaping, look at traffic patterns, look at possible allowances for cycling, and those kinds of things in the community and have the opportunity to voice our opinions and be involved in the process.

Michael Cammarata, 5220 Meadowlark Glen Lane, Winston-Salem, NC 27106

- A lot of these entrances that are proposed are shared entrances with residential communities. A child was killed by a motor vehicle in this community recently.
- Traffic in this area backs up because of at least two schools. When that traffic backs up a quick turn-in/turn-out just isn't going to happen. This will actually increase traffic to push things back even further.
- We are concerned about having so many parking spaces which we cannot monitor backing up to Greenway which leads directly into the back of our community where children live, where they go to school, and play. These issues need to be addressed before anything is planned to go into this area, especially with the large number of children who will be put at risk with this type of development.
- I work at the hospital and take calls to help people with heart attacks and the longer it takes me to get in the more people will suffer.

Maythi Calvert, 1121 Downing Creek Court, Winston-Salem, NC 27106

- I believe we should at least be owed a continuance regarding this. We were not afforded any kind of neighborhood meeting or information about this. Had it not been for Fran Daniel and her Journal article, we would not have even known about this.
- It's amazing and a testament to our community that in the last 48 hours we have almost 640 signatures of people opposed to this.
- We're not opposing commercial. We're not opposing the zoning. We understand that's the place. We are opposing that we were not informed. We feel that nobody cared what we thought.
- Our property values will be affected.
- The gentleman who spoke for Wal-Mart said the community approved the site. I would like to know what community. It was not Meadowlark Glen. It was not Century Oaks.
- The staff report says that it negatively impacts traffic yet no traffic impact study was done. That concerns me.

Dan Patterson, 521 Paigebrook Drive, Winston-Salem, NC 27106

- I echo the comments made previously by my neighbors.
- I am strongly disappointed in the amount of time we have to rebut the arguments made by the people in favor of this proposal. The amount of engineering and study done by the proponents is impressive. The work you ladies and gentlemen have to do is thorny and difficult. I don't want to dismiss the difficult nature of making decisions like this.
- This is however, not a proposal that anyone I have personally spoken to thinks is a good idea. None of us are opposed to development, commercial development of any sort. It just needs to be a better fit for the area which this is not. That the previous plan was not a good fit does not make this a better fit.

- Speaking of previous decisions made by this board such as the forced annexation which helped no one, we did not have a method of redress. Here we go again. Let's give time to everybody to consider this proposal and any others that might be a better fit.
- It is a Wal-Mart. I appreciate that it is a Wal-Mart grocery store and that it does address some pedestrian and access concerns locally and that is a positive thing.
- How many more Wal-Marts like Hanes Mall Boulevards, Silas Creek Parkways, and Lewisville-Clemmons Roads are necessary in this area? I think not many, if any. So please give everyone a chance to consider other options instead of just this one. Please vote no or at least continue the case.

Michael Galloway, 979 Brookberry Farm Circle, Winston-Salem, NC 27106

- We have scores of grocery stores and there is another Wal-Mart two miles away.
- I don't think we need another. I also have children and am concerned about safety with increased traffic and increased mischief going on.

Emily Gower, 955 Brookberry Farm Circle, Winston-Salem, NC 27106

- We have not had time to adequately address the plans here. I appreciate that there have been some traffic studies done, but the pictures that were shown today in no way represent what goes on in that area. In the morning, in the afternoon from school, and in the evening coming from work, you have to plan your trip. I have to leave before seven to go to work or wait until after nine. The traffic backs up from Meadowlark all the way back to Styers Ferry and on to Styers Ferry in the evening. With the current traffic I can't imagine that the length of turn lane you will have with this plan to is going to be sufficient to fix this problem. We need a huge change in traffic there if we are going to bring in any kind of commercial.
- In addition to that, this plan was proposed many, many years ago. The area has changed. Growth has not happened in the way it was predicted to happen, so I think we as a community need time to rethink what we are going to do in this area to make sure the community continues to thrive.

Susan Burden, 810 Poplar Grove Road, Winston-Salem, NC 27106

- I'm not sure the Council has understood that the access from 421 east is an emergency access. I'm relieved to see someone from DOT is here. I've been calling them for three years. It is very difficult to get to the hospital. If we were ever to have an emergency we could not get to the hospital in a timely fashion in the morning or the evening. If there is inclement weather the roads are not clear. I pay city taxes so I deserve to be able to get to my job. More importantly if a situation like Sandy Hook happened, you would not be able to get emergency vehicles there. To do any development in this corner until you address the traffic issues is a risk to this community.

Paul Pento, 540 Silverbrook Court, Winston-Salem, NC 27106

- Brookberry has just started another phase. There's going to be a ton of additional people living there.
- As you go further down the street, there is a horse farm. They are going to be putting apartments there. Since 1998 when this plan was approved there has been a lot of change. You're telling them they have to reestablish it because of the trees and water, but what about all this growth? What about all those extra people coming and going? Nobody is talking about that and that is a whole bunch of new people.

Mark Kiger, 5315 Delta Drive, Winston-Salem. NC 27104

- Everything that has been said is right.
- I want to know what is planned for the outparcels. I want to know some detail on what we can have on those two outparcels.
- I heard about this from my son in Baltimore. Otherwise I would not have known about this. I drove by that little “Z” in one of the most dangerous curves in Winston-Salem. I could not read it and know that it was being considered for zoning. I certainly recommend we have a lot more time.

WORK SESSION

During discussion by the Planning Board, the following points were made:

In response to a question from Arnold King, staff explained that any of the uses listed in the request such as a restaurant or retail store could be put on the outparcels. They would still have to come back with a site plan to show how it’s going to be developed.

In response to a question from Allan Younger, Aaron King explained that notices used to be sent only to adjoining property owners. Now letters are sent to property owners of all property within 500 feet of the site. That is in addition to the signs, legal ad in the newspaper, information on our website, and on TV 13. Letters could not be sent to a broader area in a cost effective manner.

Paul Norby: About the same time as the text amendment changing the notification area to 500’, a letter was sent to all the neighborhood associations that had registered with the City with a contact person and pleaded with them to appoint a zoning watchperson to access our website so they know what is being proposed in their area. Within a week after filing deadline the zoning cases are posted so that gives people additional time even before the signs are posted.

Lynne Mitchell: We’re going to grow by 120,000 people by 2030 according to the State Demographer. We’ve got to put people somewhere. We’re going to grow, we’re going to change.

I don’t know who does these marketing studies for grocery stores. I don’t understand why they’re all on the west side of town and not on the east side of town.

I am disappointed there was not a neighborhood meeting.

On the other side of it is civic engagement. It’s our responsibility to take ownership for our community. We have these area plan meetings and we beg for people to attend. We try every strategy we can and then people don’t attend. The area plan for this area was approved in 2011. That was not that long ago. We had signs posted. Maybe our signs need to be bigger.

In hindsight I wish we’d put a sign on Meadowlark in addition to the ones on Country Club and internal to the property. Maybe it would have alerted people more.

Allan Younger: I'm glad staff reminded us of the watchdog approach. If every neighborhood has someone who keeps an eye out and can alert people that there's a request in their area, then people can find out about requests plenty early. Aaron King noted that the signs went up on August 28th.

Barry Lyons: There is too much in this area right now and the infrastructure is not there to handle it. What makes the conversation difficult is what the zoning currently is because this request will be less impactful zoning than the current plan. It's going to be even worse if something gigantic goes in there like something that's already approved. It could be much, much worse. Like it or not it's already zoned for something and to change the site plan to conform with the new regulations would probably not be all that difficult, right Paul?

Paul Norby: It's hard to tell - once they provide for the stormwater, count their impervious surface, their parking, their building size, whether they can do two stories on buildings or whatever. I'm sure there is a way with some creative site planning that they could get that much square footage in there and still accommodate all the requirements.

Barry Lyons: I personally don't want to support this because I agree with the community that this area is already overheated, but on the other side I'm very concerned that by not supporting this I'm leaving the way open for something even bigger. We have to work within the existing parameters, not what we wish they were.

Darryl Little: Are the proponents agreeable to a continuance and meeting with some of the neighborhood groups?

Arnold King: They can also do that between now and City Council.

Brenda Smith: Commercial development is following the residential development. The fact that residential development has grown to this point makes this a desirable place to be. I think once we get past the idea of this being a change, it will fit well within the community. The need for change in transportation was already recognized and funding is even in the works. This is a little bit of the bigger picture of what's going on in our community.

Tommy Hicks: I agree with said suggestions from the Board with regards to citizens of this community. I have special concern for children and can't imagine what could happen to children. With the congestion already here I have concerns about what could happen to our children in inclement weather such as on a Friday evening and with an emergency vehicle involved and someone needing to get to the hospital and they can't get through. I think with regards to those things alone we would be wise to have a continuance.

Lynne Mitchell: Pedestrian connectivity is excellent both with the apartments and off Country Club.

Barry Lyons: There are designated areas in our city we would call food deserts. This isn't one of them. There are too many grocery stores in this area already. I keep wondering if we couldn't move this to the place where it needs to be. I don't know what message we're sending if we keep approving so much in little tight areas when we do have areas that need it much, much more.

Paul Mullican: Well, the problem is you don't have developers who are willing to do that.

Barry Lyons: Maybe if we're not approving everything, they'd be more willing to look somewhere else.

Paul Mullican: A developer bought a whole tract of land and got it zoned - one side for RM12 and the other for HB-S including grocery store. The RM12 portion was bought and developed.

Whether you like Wal-Mart or not, they are a company who does what they say they are going to do. They currently have a plan for a 71,000 square foot building. It would need some adjustments and might need to come back before us, but I don't think that would be a problem. Now Wal-Mart has come in and said we can make this plan much better than the original plan. Something is going to go on this property. You have to be careful what you wish for. Denying this may result in a development with much more impact on the community. This plan is better than the existing one. If we turn that down there will be a 71,000 square foot shopping center. You would still have the same things everybody has brought up. We will have issues with safety for children, the greenway, and access to medical facilities no matter what we do. We can't help that. I think it's a good plan and should be approved.

I am sorry a neighborhood meeting did not happen. That should have been done.

I live out here and work out here so I go through that intersection. We know and WSDOT knows that traffic backs up in that area.

Arnold King: The thing I'm hearing is they just don't want it. So they could meet for a month and accomplish nothing. If it was about site plan conditions where conditions or buffering could be negotiated, then a continuance might be beneficial.

Allan Younger: I love community engagement. However, your involvement doesn't have to stop at this meeting. Even if we vote to approve it, it's only a recommendation to the City Council so you do have more time. Something is going to be developed on this property regardless of the decision we make. So when you look at the two plans you have to ask which is best. What is developed under the existing zoning may be worse than what is proposed.

Some people have commented to me "Anybody but Wal-Mart". It wasn't about a grocery store being there - it was about this company being there. For many people Wal-Mart is the 211,000 square foot building, the big box. That's what people are opposed to.

Arnold King asked David Brandes about a continuance. His response was that there is plenty of time between now and the Council meeting for us to get together with the neighborhood. If we were simply talking about a grocery store, there wouldn't be this much opposition. Stopping this process today doesn't give us any more time. We would love to talk to folks.

Allan Younger: I'm glad to know you're willing to have a community meeting. There is a whole bunch of people here who expect you to follow up on that.

Lynne Mitchell: I am grudgingly going to support it because I think it's better than what can go in now. You've got time before City Council. It's time to get organized.

I'd like to say to the City Council, "What can we do to incentivize grocery stores in East Winston?" There are food deserts there. We don't need all these grocery stores in one area, but still this plan is better than what can go there now.

Barry Lyons: I'm not going to support it. In 1998 a plan was approved that I don't think took into consideration the impact it was going to have on the existing infrastructure. The message needs to be sent out that development needs to be spread out more evenly across the City and we're the guiding board essentially, we're the ones who send that message.

Clarence Lambe: We have had at least two area plans which have said "metro activity center" and that's the scope of development.

Tommy Hicks: I'm not going to support it. I don't know how much the lesser of two evils is here. With regard to my point about the children in the area and the school system I'm not going to give support to this.

Tommy Hicks left the meeting and returned later and cast his vote.

Allan Younger: We have these area plans that we work on all year. There are likely some people in this room who were concerned about this area and worked on the plan. However there are probably some people who didn't know that they needed to be concerned or for whatever reason weren't involved in that so hopefully this is a lesson for all of us to be as involved as we can for what happens around our community.

MOTION: Paul Mullican moved approval of the zoning petition and certified that the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: Darryl Little

VOTE:

FOR: Arnold King, Clarence Lambe, Darryl Little, Lynne Mitchell, Paul Mullican, Brenda Smith, Allan Younger

AGAINST: Barry Lyons, Tommy Hicks

EXCUSED: None

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