



WALKERTOWN PLANNING BOARD MEETING WALKERTOWN LIBRARY AUDITORIUM

JULY 8, 2008 3:00 P.M.

MINUTES

Peggy Leight called the meeting to order at 3:00 p.m. Present for the Planning Board were Ms. Leight, Don Whicker, Robert Butler, Brenda Mabe, and Al Slater. Also present was secretary Lynn McKinnie, Planning Board alternates Harvey Neal, Kevin Briggs, and Larry Marshall.

Town Council members Marilyn Martin, Wayne Hester, and Sarah Welch were in attendance as were Attorney Amy Lanning and Manager Scott Snow.

The agenda was unanimously approved by motion of Al Slater and seconded by Brenda Mabe.

Ms. Leight explained that the minutes of the previous meeting of June 3rd would be forthcoming at another meeting as she had just gotten her notes today to Lynn (who was absent at that meeting.)

PUBLIC SESSION - Please limit your talk to 3 minutes.

Public Session was opened and closed at 3:01 p.m. with no speakers.

BUSINESS AT HAND

1. **PUBLIC HEARING**

WA-015 – CVS FINAL DEVELOPMENT PLAN FOR FOOD/DRUG STORE IN HB-S TWO-PHASE ZONING DISTRICT

3:01 P.M.

Gary Roberts, Staff Planner who has taken Aaron King's place for Walkertown, explained that the overall development was approved in 2004 and that this is an outparcel for CVS Drugstore at the corner of 158 and NC-66. What is before the Planning Board today is the Final Development Plan and it does go before the Town Council on July 24th. He said it was not a hearing to determine whether the zoning is appropriate or if the use of pharmacy is appropriate – that's already been decided – the Planning Board is here to look at the site plan. The site plan shows that the site is a little bit shy of two acres located on the corner of NC-66 and Highway 158 and it's proposed pharmacy and food and drugstore use. It's about 13,225 square feet with a drive-through. It would not include any entrances on to the main public streets – all access will be internal – one onto Neal Trail Drive and one onto Pearl Trail Drive. The initial plan did show sidewalks along the public street frontage (which is a Walkertown ordinance requirement – requires sidewalks on major thoroughfares for new developments. This will show up on the revised plan.) They are also showing sidewalks on the other two private street sides of the site. It was noted that the Staff is waiting for minor revisions to the site plan – which they have done. All other code conditions have been met. Specific type of trees are required to be consistent with the rest of the development. Staff recommends APPROVAL.

Question: Describe the flow of traffic with the use of the drive-through.
Response: Mr. Roberts answered this by showing on the site plan map. (From the entrance, it will be a right in – access to parking.No left turn.....)
Question: Was there any consideration given to putting a sidewalk on NC-66?
Response: Certainly in the realm of Planning Board review even though Staff did not recommend such – but a good idea. This could be added as a condition.
Question: Coming from Neal Trail Drive turning on to 66, can you only make a right turn?
Response: Correct. There will be a median on NC-66.
Question: Same way on 158?
Response: Correct. There are medians installed along all the frontage.
Question: Would petitioner be amenable to another pedestrian sidewalk somewhere along the 66 side?
Response: Yes. {Petitioner stated he would be amenable to doing so.}
Question: Is there one monument sign?
Response: Yes.
Question: Buffer and trees will follow same pattern as McDonald's?
Response: Same species of trees. Streetyards require them on both street frontages (158 and 66).
Question: Will there be internal trees as well?
Response: They do have to have motor vehicle landscaping trees and probably will a landscaping plan. They have to have a streetyard along private streets, too. There should be a 10-foot streetyard on all four street frontages. (Two deciduous trees per 100 linear feet and shrubbery planted 18-inches – tip to tip.)

CHECK THE SEPTEMBER 10, 2004 MINUTES – ABOUT REQUIRING TREE EVERY 30 FEET???????? CHECK MCDONALD'S ALSO.

Question: Is there any consideration of the Highway Dept. putting in a striped crosswalk between these two shopping centers?
Response: Don't know – Would hope so. It may take a request from the Town for the Highway Dept. to do that.

GARY ROBERTS WILL MAKE A CALL TO DOT TO FIND OUT ABOUT THIS....

Question: Tell us about the shoebox lighting...where will it be?
Response: The lighting locations have not been determined yet. The architect does this when he goes through the building construction. Petitioner said they typically provide ample lighting for the parking area and minimize what spills over into the right-of-ways.
Question: Will there be lighting lower than 15-feet that is not shoebox?
Response: Anything less than 15-feet could be any type of light; over 15-feet has to have the shoebox lights. This is part of the original condition.

PETITIONER AGREED TO HAVE THE LIGHTING ON THE FINAL PLAN WHEN IT GOES TO THE TOWN COUNCIL.

Question: Will there be a artist's drawing and/or color rendition of the proposed building façade?
Response: There are copies - black and white drawing (EXHIBIT E) to look at now.

- The building will be architectural split-face block.
- Dumpster is enclosed (architectural split-face block).
- Trash dumpster is separate and will also be completely enclosed with architectural split-face block.
- Although slightly modified, this is basically the standard plan for CVS stores.
- Colors will be garnet – a cinnamon-color – not a dark red but a lighter red with a lot of white rock in it and the soft ivory is a pale white color.

Mr. Roberts reminded the Planning Board to put their conditions in any motion they may make.

PUBLIC HEARING WAS OPENED AT 3:22 P.M.
THERE WERE NO SPEAKERS SO THE HEARING WAS CLOSED AT 3:22 P.M.

There was no further discussion among

Chairperson Leight recapped the to-do list:

1. Check before it goes to the council the minutes to make sure the trees, the distance between them.
2. We're recommending an extra pedestrian path be added somewhere along the 66 corner side.
3. Sidewalks on all four sides of the lot.
4. The lighting - showing the final lighting plan – will be on the final plan.
5. Request the landscape plan.
6. We want to include (*their*) EXHIBIT E as part of our approval process.

**MOTION: TO RECOMMEND TO THE TOWN COUNCIL:
APPROVAL OF THE CVS FINAL DEVELOPMENT SITE PLAN WITH THE
FOLLOWING CONDITIONS:**

1. Check before it goes to the council the minutes to make sure the trees, the distance between them.
2. We're recommending an extra pedestrian path be added somewhere along the 66 corner side.
3. Sidewalks on all four sides of the lot.
4. The lighting - showing the final lighting plan – will be on the final plan.
5. Request the landscape plan.
6. We want to include (*their*) EXHIBIT E as part of our approval process.

BY: AL SLATER

2ND: BRENDA MABE

VOTE: RECOMMENDATION MOTION PASSED UNANIMOUSLY

Ms. Leight asked Mr. Roberts to check about Walkertown Landing.. There is no retention pond listed – just the 17 lots that were approved. Could he check and see at what point it was decided, and it may have been with McDonald's, with stormwater, they had to have a retention pond – that the one over at the Commons could not hold it. How did that fold out because two lots got removed and are now going to be a retention pond and that was not part of the original plan, as laid out here.

Mr. Slater remembered that they were originally going to run the water under the highway over to the Commons retention pond. It came up that it would not carry all the water and so they lost a couple of lots by doing that.

2. **PUBLIC HEARING**

WA-UDO-10 – TEXT AMENDMENT CHANGE TO SIGN ORDINANCE TO REVISE REGS FOR INTERNAL ILLUMINATED SIGNS FOR CHURCHES

3:28 P.M.

Gary Roberts explained that the council received a request to place an illuminated sign, which was against the newly passed sign ordinance. He said that the current ordinance prohibits internal illuminated signs in a residential district and churches in residential districts cannot put one in. That's consistent with Winston-Salem ordinances. This request is basically to keep that provision in place – except for churches. Language was added to read ("e") – No Internal Illumination – except for Church or Religions Institution, Community or Neighborhood.

Question: What if the church is not in a residential zoning?

Response: They can't have internal illuminated sign right now and after the ordinance. It doesn't change that.

This provision for internally illuminated signs is only for residential district.

Question: Anything that is currently internally illuminated is grandfathered in?

Response: I assume so.

Question: Can you address why internally illuminated signs should not be available at all? What was the thinking?

Response: Generally, detached lighting is more residential in character. It was determined that the hollow, plastic sign was not typically consistent with residential character. It was "appearance" more than anything.

Question: Is there any restriction on the number of hours that the sign is allowed to burn?

Response: I am not familiar with any provision in the ordinance on time constraints. The inspectors work certain hours so time limits could cause a problem.

Public Hearing was opened at 3:38 p.m.

There were no speakers.

Public Hearing was closed at 3:38 p.m.

Ms. Leight commented that she did not see why they were making a specific exception for one as opposed to allowing it generally. She was not against internally illuminated signs.

Mr. Slater said he would be against the change – unless there was a time constraint attached.

Mr. Butler said he had no problem with the lighting change but did have a problem with just allowing "churches" to do so.

Ms. Leight said there were two choices:

1. Not approve this change, which means it stays "as is" – they cannot have internally illuminated lights; or
2. Make a recommendation to the council that internally illuminated lights be available in all the districts.

Question: Can we add to it that there be low wattage?
Response: Yes – certain wattage, no high wattage.
Question: How can this be enforced?
Response: It’s probably something that could be enforced, but it would be another layer to the issue. The Board is free to make any recommendation ...

**MOTION: TO RECOMMEND TO THE TOWN COUNCIL:
TO NOT APPROVE UDO-10 THE ORDINANCE TEXT
AMENDMENT TO CHANGE THE SIGN ORDINANCE FOR
INTERNALLY ILLUMINATED SIGNS FOR CHURCHES**

**BY: AL SLATER
2ND: ROBERT BUTLER
VOTE: MOTION PASSED 3 TO 2
FOR MOTION:
AL SLATER
ROBERT BUTLER
DON WHICKER
AGAINST MOTION:
PEGGY LEIGHT
BRENDA MABE**

THIS MOTION MEANS THAT CHURCHES OR ANYONE ELSE IN RESIDENTIAL DISTRICTS CANNOT HAVE INTERNALLY ILLUMINATED SIGNS.

Ms. Leight summed it up by saying: “The motion on the table is to reject this UDO-10, which means the recommendation to the Town Council is it stays as is - which means churches or any other institution in a Residential zoning district cannot have internally illuminated lights – which is the current way it is. And, currently, if they are in a different zoning district, they can have internally illuminated lights.”

PUBLIC SESSION (IF NEEDED)

Public Session was opened at 3:47 p.m.

1. Jeff Saul
Glenwood Corp.

Mr. Saul said his recollection of sidewalks at 158 and 66 is that they were not required to do sidewalks on 158 or 66 for the project and that with the McDonald’s site plan approval, that plan was actually approved without the requirement of sidewalks on 158. He said what he was hearing today was that CVS – we’re now talking about requiring sidewalks on 158 and 66 and obviously there is some inconsistency there. He was hoping to get further clarification on this issue.

Mr. Roberts said that it was his understanding that when Walkertown adopted the new street standards, that triggered the requirements for sidewalks on major and minor thoroughfares, which include 158 and 66 also. That’s ordinance requirement right now as per his understanding. Aside from that, even if it was not, the Planning Board still has the authority to recommend to council that, as a condition of the final development plan approval, that sidewalks are required on both of those roads. And the council makes the final decision.

Mr. Saul said he respects that authority but just wanted to revisit it because McDonald's doesn't have that requirement – and neither does Bojangles – and it was discussed at the Bojangles during the council hearing and it was decided not to make them install a sidewalk along 66. He said he would argue that, with respect to CVS, they not be required to install sidewalks along the streets. The sidewalks are not going to go anywhere – they'd stop at McDonald's.

Mr. Roberts said that with his limited knowledge, but it was his understanding that the original plan, submitted a couple of weeks ago, showed sidewalks on both street frontages and just really noticed today that the revised plan does not show sidewalks on there.

Ms. Leight said that when we heard McDonald's and we heard Bojangles, we brought it up in both cases but there was no city ordinance for that. Since Bojangles, the sidewalks and plan has been approved and it says on all major thoroughfares including 158 and 66.

Wayne Hester, councilman, spoke, saying Bojangles was approved before the council had anything to do with it. The county approved it. And on the new shopping center, he thought there was a change made that would approve that there would be no external sidewalk on the highway – it would be internal.

Ms. Leight said this was the way it was worded in 2004. Her recommendation is that we have put it in and approved it with that recommendation to bring it up when it comes to the town council for final approval and they would be the ones to make the final decision as to whether they have to be on 158 and/or 66. (Sidewalk and guttering will be brought up at the Town Council meeting.)

Marilyn Martin, councilwoman, said they were talking about widening 158 and that was one reason for not putting sidewalks in.

2. Reverend Jerry Goode
Pastor, Faith of God Ministries

Mr. Goode said he was the one asking for the sign change. The reason was due to repair costs and the current sign just looks unsightly. The new sign would be seen from both sides. With the way the sign is now, he has to use two 300-watt light bulbs and the new sign would be only four 75-watt bulbs – they would be internal and would not give off much light. The city light is brighter than what they have at the present time. The church uses lighting to light up their parking lot for safety and security reasons, and this lighting is 20 times brighter and they're kept on all night. He said, "We'd like to get something for ourselves." The sign would be much nicer than the one in use now. He said he was sorry they couldn't agree to this request. The current lighting situation is a lot of problems. Rev. Goode showed an artist's rendition of the proposed sign.

Mr. Butler recommended that Mr. Goode speak to the council at the Public Hearing *before* the voting and also show the rendition of the new sign. It would likely make a difference.

Public Session was closed at 3:55 p.m.

ANNOUNCEMENTS:

2008 MEETING SCHEDULE

LIBRARY @ 3:00 P.M.

AUGUST

August 5th

SEPTEMBER

September 9TH

*Due to Labor Day

OCTOBER

October 7th

NOVEMBER

November 11th

*Due to Election Day

DECEMBER

December 2nd

ADJOURNMENT

MOTION TO ADJOURN AT 3:58 P.M. BY BRENDA MABE AND SECONDED BY DON WHICKER.

Respectfully submitted,

Lynn McKinnie
Planning Board Secretary