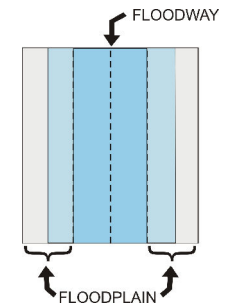


DOCKET #: W3169

PROPOSED ZONING:
HB-S (Two Phase)

EXISTING ZONING:
HB-S (Two Phase)

PETITIONER:
ARP Winston-Salem LLC.
for property owned by Same



SCALE: 1" represents 300'

STAFF: Roberts

GMA: 3

ACRES: 4.77

NEAREST BLDG: 210' west

MAP(S): 594854





Bryce A. Stuart Municipal Building
100 E. First Street
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.748.3163
www.cityofws.org/planning

February 20, 2013

Columbia Development
c/o Mr. Coke Mann or Mr. Bud Mann
1845 St. Julian Place, Columbia, SC 29204

Re: Zoning Map Amendment W-3169

Dear Sirs:

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

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102
ARP Winston-Salem LLC, c/o Scott Fryman, 208 Bi-Lo Blvd., Greenville, SC 29607

City Council: Mayor Allen Joiner; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; Molly Leight, South Ward; Wanda Merschel, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

Forsyth County Commissioners: Richard V. Linville, Chairman; Gloria D. Whisenhunt, Vice Chair; Mark Baker; Walter Marshall; David R. Plyler, Bill Whiteheart; Everette Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; L. Wesley Curtis, Jr., AIA, Vice-Chair; Clarence R. Lambe, Jr.; Darryl Little; Barry A. Lyons; Lynne Mitchell; Paul W. Mullican; Brenda J. Smith; Allan Younger

CityLink311
Call 311 or 336-727-8000
citylink@cityofws.org

ACTION REQUEST FORM

DATE: February 20, 2013
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning map amendment of Columbia Development for property owned by ARP Winston-Salem, LLC

SUMMARY OF INFORMATION:

Zoning map amendment of Columbia Development for property owned by ARP Winston-Salem, LLC from HB-S (Shopping Center) - Two-Phase to HB-S [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] - Two-Phase: property is located on the northeast corner of Country Club Road and Meadowlark Drive (Zoning Docket W-3169).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: WESLEY CURTIS, ARNOLD KING, CLARENCE LAMBE,
DARRYL LITTLE, PAUL MULLICAN, BRENDA SMITH,
ALLAN YOUNGER
AGAINST: BARRY LYONS, LYNNE MITCHELL
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - SPECIAL USE

Zoning Petition of Columbia Development for property owned by ARP Winston-Salem, LLC, Docket W-3169

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 changing from HB-S (Shopping Center) - Two-Phase to HB-S [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] - Two-Phase the zoning classification of the following described property:

Parcels A and B – Description Based on Rezoning Amendment Exhibit (Parcels Not of Record); Portion of PIN # 5895-55-8877.000

All that certain piece, parcel or lot of land situate, lying and being in the State of North Carolina, County of Forsyth and in the City of Winston-Salem, being delineated at “Parcel A and Parcel B” on a drawing entitled “HB-S (Two Phase) Rezoning Special Use Exhibit”, prepared by Hussey, Gay, Bell & DeYoung, Inc., dated January 10, 2013 and based on a Boundary Survey by Regional Land Surveyors, Inc. dated November 19, 2012, said parcels having the following perimeter metes and bounds to wit:

Beginning at a point located at the intersection of the northwestern right-of-way corner of Country Club Road (SR #1001) and Meadowlark Drive (SR #1314), said point being the southwestern property corner of the property and being the Point of Beginning; thence continuing northerly along the eastern right-of-way of Meadowlark Drive N 03°57'13" E for a distance of 175.45' to a point; thence continuing northerly along a curve with a radius of 520.00' and an arc distance of 186.45' (with a chord bearing of N 14°13'32" E and a chord distance of 185.46') to a point on the right-of-way of Meadowlark Drive and said point being the northwestern property corner of the property; thence turning easterly along the northern property line S 88°57'47" E for a distance of 536.61' to a point, said point being the northeastern property corner of the property; thence turning southerly along the eastern property line S 04°11'51" W for a distance of 425.96' to a point, said point being the southeastern property corner of the property and on the northern right-of-way line of Country Club Road; thence turning westerly along the northern right-of-way of Country Club Road on a curve with a radius of 1836.91' and an arc distance of 321.97' (with a chord bearing of N 79°00'46" W and a chord distance of 321.56') to a point; thence continuing westerly along the northern right-of-way of Country Club Road N 85°52'07" W for a distance of 259.02' to a point, said point being the original Point of Beginning.

The above property containing 5.01 acres or 218,235.60 SF gross area. Considering the dedication of 0.24 acres or 10,454.40 SF, the property contains 4.77 acres or 207,781.20 SF.

Section 2. This Ordinance is adopted after approval of the site plan entitled Sheetz and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, 20____ to Columbia Development for property owned by ARP Winston-Salem, 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 Sheetz. 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 Columbia Development for property owned by ARP Winston-Salem, LLC, (Zoning Docket W-3169). 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 HB-S [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] - Two-Phase, approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in

accordance with requirements of the HB-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 THE ISSUANCE OF GRADING PERMITS:**
 - a. 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.

- b. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department and NCDOT. Required improvements include:
 - Dedicate 40' of ROW from the centerline of Country Club Road and Meadowlark Drive as shown on site plan.
 - Widen Country Club Road and Meadowlark Drive 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.

- **PRIOR TO THE ISSUANCE OF PLANS AND ELEVATIONS:**

- a. The proposed buildings shall be in substantial conformance with the submitted elevations as shown on "Exhibit 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; cross access easements for all internal streets; and negative access easements along Country Club Road and Meadowlark Drive.

- **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 shall be limited to one (1) monument sign for Parcel A and Parcel B each with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3169
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Columbia Development
Owner(s)	ARP Winston-Salem LLC
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 Two Phase to HB-S Two Phase. The original HB-S Two-Phase zoning (F-1219) for this site included a condition that prohibited restaurants with drive-through service. This request has been submitted in order to remove said condition.
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB-S (Highway Business - special use district Two Phase – 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; Public; 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, at the intersection of a major and a minor thoroughfare and is adjacent to other HB zoned property.			
GENERAL SITE INFORMATION				
Location	Northeast corner of Country Club Road and Meadowlark Drive			
Jurisdiction	City of Winston-Salem			
Ward(s)	West			
Site Acreage	± 4.77 acres			
Current Land Use	The site is currently undeveloped.			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	MU-S	Undeveloped property	
	East	HB-S	Undeveloped property	
	South	RS9	One single family home on a 45 acre tract	
	West	RS9 & HB	Convenience store	
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, including the new use of Restaurant (with drive-through service), are generally compatible with the approved uses for the subject property and the uses permitted on the HB zoned property across Meadowlark Drive.			
Physical Characteristics	Presently the site is fully wooded and has a moderate slope downward to the south.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Stormwater/ Drainage	The site plan shows an underground stormwater detention area on the Phase Two lot. 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 no regulatory floodplains, steep slopes, or watersheds and appears to be suitable for development within the proposed HB-S Two Phase district.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Country Club Road	Major Thoroughfare	580'	11,000	15,300
Meadowlark Drive	Minor Thoroughfare	360'	13,000	15,300

Proposed Access Point(s)	The site will have one full access onto Meadowlark Drive and one full access onto Country Club Road at the easternmost portion of the site. A third driveway, closer to the intersection of Meadowlark Drive, will provide right-in/right-out access onto Country Club Road.
Planned Road Improvements	For both Country Club Road and Meadowlark Drive, the <i>Comprehensive Transportation Plan</i> recommends a three lane cross section with widened outside lanes and sidewalks. There is a pending 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	<p>Because both the approved and the proposed site plans include some parcels which would require Final Development Plan approval, Trip Generation numbers cannot be accurately determined for the entire site.</p> <p><u>Estimated Trip Generation for Parcel A:</u> 12 fueling positions x 542.6 (Convenience Market w/Gasoline Pumps Trip Rate) = 6,511 Trips Per Day</p>
Sidewalks	Sidewalks are required along Country Club Road and Meadowlark Drive. Planning staff recommends some additional internal sidewalks and lateral connections to said public streets.
Transit	Route 12 runs along Country Club Road 1.4 miles to the east.
Connectivity	The proposed site plan includes a stub street to the undeveloped property to the north. Planning staff recommends this be a public street.
Traffic Impact Study (TIS)	A TIS is not required.
Analysis of Site Access and Transportation Information	<p>The site has good access being located on a corner lot with extensive frontage on both a minor and a major thoroughfare. Sidewalks will be provided along both said frontages along with the internal streets.</p> <p>The easternmost access point onto Country Club Road will provide full access into the site and the petitioner has agreed to extend this driveway northward to the property line to connect with the adjacent Brookberry development which is zoned MU-S. Said MU-S zoned site, which fronts on Meadowlark Drive, <u>may include up to 300,000 square feet of retail land use.</u> This development included a condition for a street connection to the south (to the subject property). It also included a requirement to provide a public street connection to the east to connect to the City owned park property now in the master planning stages (Jamison Park) which abuts the Muddy Creek Greenway. In light of these factors and the subject property being in the heart of an activity center along with the need to alleviate peak hour traffic at the intersection of Country Club Road and Meadowlark Drive, Planning staff recommends that this north/south connection which would eventually connect to Meadowlark Drive, be a public rather than a private street. The petitioners have agreed to improve and dedicate this as a public street.</p>

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.
Relevant Area Plan(s)	<i>West Suburban Area Plan (2011)</i>
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	The north/south connector street will be called Country Club Lane.
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?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>While the <i>West Suburban Area Plan</i> recommends commercial use for the subject property, it also identifies the site as being within the Country Club Road/Shallowford Road activity center where pedestrian-oriented urban form is recommended. Although uses with a drive-through do not typically fall within this category, staff notes that the drive-through consists only of a single lane. In addition, the majority of the parking and circulation area is not located between the building and the street which would work directly against a pedestrian-oriented urban form. Planning staff does recommend some additional façade treatments to the northern and western elevations which the developer has agreed to (see Exhibit A).</p> <p>Also, in consideration of the site’s proximity within an activity center and the adjacent MU-S and RS9 uses, staff recommends a monument signage condition.</p>

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
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			
	5,941 sf		Southwest corner of the site close to Meadowlark Drive and Country Club Road.			
Parking (Phase One)	Required	Proposed		Layout		
	51 spaces	56 spaces		Primarily to the side and rear of the proposed building.		
Building Height (Phase One)	Maximum			Proposed		
	60'			25'		
Impervious Coverage (Phase One)	Maximum			Proposed		
	85%			70.7%		
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	The proposed Two Phase site plan shows a proposed Convenience Store along with a Restaurant (with drive-through service) on Parcel A which is at the corner of the two adjacent public streets. Parcel B, located directly to the east would require Final Development Plan approval by the Planning Board, which is currently the case under the existing zoning. The site plan meets the requirements of the UDO.					
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
The site is already zoned HB-S Two Phase.			The request would permit a Restaurant (with drive-through service) in the center of an activity center.			
The proposed commercial land use is generally consistent with the commercial land use recommendation of the <i>West Suburban Area Plan</i> .						
The First Phase portion of the request has relatively good building placement whereby most of the parking is not located between the building and the public streets.						
The proposed site plan will provide good street connectivity.						

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

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.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**

- a. 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.
- b. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department and NCDOT. Required improvements include:
 - Dedicate 40' of ROW from the centerline of Country Club Road and Meadowlark Drive as shown on site plan.
 - Widen Country Club Road and Meadowlark Drive 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.

- **PRIOR TO THE ISSUANCE OF PLANS AND ELEVATIONS:**

- a. The proposed buildings shall be in substantial conformance with the submitted elevations as shown on "Exhibit 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; cross access easements for all internal streets; and negative access easements along Country Club Road and Meadowlark Drive.

- **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 shall be limited to one (1) monument sign for Parcel A and Parcel B each with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) 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.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3169
FEBRUARY 14, 2013**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

Lynne Mitchell noted that she would be voting against this request because the drive-through is inappropriate in an activity center and the food served at drive-throughs is not good for our health.

MOTION: Paul Mullican moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Clarence Lambe

VOTE:

FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Paul Mullican,
Brenda Smith, Allan Younger

AGAINST: Barry Lyons, Lynne Mitchell

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning