

WARNER ROBINS PLANNING AND ZONING COMMISSION

Meeting of June 14, 2016

The regular meeting of the Warner Robins Planning and Zoning Commission was held on June 14, 2016, at 5:30 PM at City Hall. Those members present were Eric Blazi, Arthur Head, Jeffrey Rowland and Jim Taylor. Sherri Windham, Pam Mullis, Walter Gray and Katherine Wade were also present.

Mr. Blazi opened the meeting of the Planning & Zoning Commission by explaining the procedures of the meeting. Mr. Blazi explained that due to regulations, all approved requests with the Planning and Zoning Commission would next be forwarded to Mayor and Council for final approval. Mr. Blazi asked Mrs. Windham to provide any staff remarks at this time for petitions being heard.

Mr. Blazi asked for a motion to approve the minutes from the Planning and Zoning meeting held on May 10, 2016. Mr. Head made the motion for approval and Mr. Rowland seconded the motion. The motion carried unanimously. Mr. Blazi then called the first item on the agenda.

1. Shalanda Clark - 721 Wilmington Drive- requests permission to operate a resume⁷/career enhancement business as a home occupation. Shalanda Clark was present. Ms. Clark stated that her proposed business would be conducted from a computer only and there would be no traffic to and from her home. Mr. Blazi verified that the home would be designated as an office space only. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Taylor to recommend the approval of the request. The motion carried unanimously.

2. Charles & Sonya Stinson – 317 Cherokee Drive – requests permission to operate a transportation (mail) business as a home occupation. Charles Stinson was present. Mr. Stinson stated that he and his wife are private contractors for Amazon, and that they would be delivering products outside of their home. The home would be a designated office space only. No one present was in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend the approval of the request. The motion carried unanimously.

3. Josh Arnett – 113 Covington Cove –requests permission to operate an electrical box mod components business as a home occupation. Josh Arnett was present. Mr. Arnett stated that he has a state license and that no business will be conducted outside the home. Mr. Arnett stated that he will only be creating emails, invoicing and ordering online from his designated home office space. Mr. Blazi verified that the home would be a designated office space only. No one present was in opposition.

The motion was made by Mr. Taylor and seconded by Mr. Rowland to recommend the approval for request. The motion carried unanimously.

4. ANNEXATION/REZONING – Charlie McGlamry requests the rezoning of a property located between Statham’s Way and Old Hawkinsville Road, East of Sandy Run Road [Tax Parcel: 001230 041000], from the zoning of PUD [Planned Unit Development][County] to PDR[Planned Development-Residential][City]. Wayne Crowley was present to represent Mr. McGlamry. Mr. Crowley presented the proposed plans for this area which included a 41 lot single family subdivision similar to the Bear Lake Subdivision. Mr. Crowley also stated that the City Engineering Department had noted some potential issues with the proposal, including the need for an emergency entrance, but assured the board that it would be addressed and corrected. Mr. Blazi stated that the planning and zoning board would vote only on the rezoning and annexation of this property at this time. Mr. Blazi asked if there was anyone present opposed to this proposal. Several concerned citizens

raised their hands. Roy Curl of 213 Forest Mill Drive in Woodfield Subdivision spoke to the Board about his main concerns, which included the existing drainage problems already in that area and the possibility of worsening throughout the construction process. Mr. Curl asked if the City would provide barriers and additional buffers around his property to prevent any likely problems. City Engineer, Walter Gray was present and explained that at this time the only issues that needed to be addressed were the annexation and rezoning of this property. Mr. Blazi assured Mr. Curl that if the annexation and rezoning are approved, that the Engineering Department would address these drainage issues. Barbara Jentz of 112 Bear Lake Dr. addressed the existing traffic problems and wanted to know how the project would affect the traffic. Once again, it was reminded by Mr. Blazi that the issue at hand was only the rezoning and annexation of this property. Mr. David Ruff of 109 Bear Lake Dr. asked what else could be developed without approval from the City, because he had seen that there have already been trees cleared from the property. Mr. Blazi said that the City has nothing to do with the clearing of trees. Mr. Ruff said that he understood.

The motion was made by Jim Taylor and seconded by Arthur Head to recommend the approval for the request of annexation. The motion carried unanimously.

The motion was made by Jeffrey Rowland and seconded by Arthur Head to recommend the approval for the request of rezoning. The motion carried unanimously.

5. REZONING – Jerome Stephens requests the rezoning of 803 South Davis Drive [currently zoned C-1], 809 South Davis Drive [currently zoned R-4], and 104 Driftwood Terrace [currently zoned R-2] to the zoning of C-2 [General Commercial District]. Mr. Stephens was present and explained that the request for the rezoning is for the purpose of expansion of the church. No one present was in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend the approval for the request for rezoning. The motion carried unanimously.

6. REZONING – David C. Kirk requests the rezoning of the property located between White Road and Arrie Drive, West of U.S. Hwy 41 [Tax Parcel: 0W97F0 04A000], from the zoning of R-1 [Single Family Residential] to C-2 [General Commercial District]. Mr. Kirk was present to represent the property owner, and Walmart Neighborhood Market. Mr. Kirk began the presentation by first introducing the Project Engineer, Kelly Wagoner, and the Traffic Engineer, Steve Boutwell, who have been involved with the project and would be available for questions. Mr. Kirk emphasized the difference between a Wal-Mart Super Center and Wal-Mart Neighborhood Market was mainly based on the square footage of the building and it being only one quarter of the size of a normal Wal-Mart Super Center. Mr. Kirk mentioned that there would also be a fuel center as a part of the store, if approved, and that the market would create between 90 to 100 jobs. In addition to a fuel station, Mr. Kirk stated that in the future, there would be online shopping available at this store to support in-store grocery pickup. Mr. Kirk mentioned that he is requesting the rezoning of only the 6.5 acre portion, and not the entire 15 acres, as misrepresented by the media. Mr. Kirk stated that the request is consistent with the City's Future Land Use plan for Community Commercial use, as it is only a 44,000 square foot building and that there is 75 feet between property line of proposed tract and the property line of the first home in the residential area, adding that the space between is quite vegetated, adding that from the actual store itself, to the nearest home, would be well over three hundred feet. Mr. Kirk stated that Community Commercial allows for retail construction of up to 100,000 square feet. Mr. Kirk stated that there are two parcels that front Highway 41 that are already zoned commercial, and that if the rezoning is approved, the three parcels will, in conjunction, equal roughly fourteen acres. Mr. Kirk also provided material to the board to reflect

the traffic improvements, which would include the Arrie Drive entrance, and accommodations to support truck deliveries via Highway 41, as it would be the main access and only access for truck deliveries, which would be made roughly three times per week. Mr. Kirk also stated that there would be a need to extend the Northbound left turning lane on White Road to prevent and mitigate the stacking issues that it currently has and that there will be a Westbound left turn lane added to White road. Mr. Kirk stated that there is no left exit onto Highway 41 to go northbound, and for that reason he feels it is exceptionally safe, and added that people traveling Northbound on Highway 41 could turn left into the main driveway, or continue North to White Road, while people traveling Southbound on Highway 41 could make a right turn into the main Driveway, adding that Arrie Drive will maintain roughly five percent of the overall traffic to and from the store. Mr. Kirk added that all roadway improvements would be paid for by Walmart, as part of the construction. Mr. Blazi asked that Mr. Boutwell, Traffic Engineer, explain the overall improvements and studies performed and required on the project. Mr. Boutwell explained that the testing and data collected were largely conducted on the school district area near the proposed project. Mr. Blazi asked how much this would affect the traffic and how much traffic would increase. Mr. Boutwell explained that the studies done were at peak hours, which were between 7 and 8 a.m., and between 5 and 6 p.m., and that the studies provided a projected increase in traffic trips to be an additional 153 trips during the a.m. hours, and an additional 291 trips during the p.m. hours. Mr. Taylor asked how much of the projected increase in traffic would be from the surrounding neighborhoods. Mr. Boutwell stated that an approximate thirty percent of the projected increase of traffic would typically be from the surrounding neighborhoods. Mr. Blazi stated that he would like to hear opposing comments from three people because there would not be enough time to hear from everyone in opposition at this time. Michelle Heron of 108 Georgian Walk, Byron spoke and emphasized that her main concern with this proposal is the safety of the children in their neighborhood because the increase in traffic and potentially dangerous drivers. Ms. Heron also stated that there are many grocery stores within minimum miles from their neighborhood already, and she doesn't see a purpose for a new store. Ms. Heron asked about additional traffic signals, and stated that the safety of her children and all other children should be the first priority. Edward Armijo of 115 Cottage Court, Centerville, spoke and referenced many various City Ordinances to state his opposition. Mr. Armijo also requested copies of traffic analysis studies for the residents in that neighborhood and surrounding areas. Monica Nix of 119 Gleneagle Drive, Byron, stated that her main concern is the fact that there is another Wal-Mart very close, and according to statistics she provided, it would be likely that this neighborhood market will close. Ms. Nix stated that in the last several years, Walmart has closed 269 stores and layed off 16,000 associates, and that ninety five percent of the stores that closed in the United States were within ten miles of another Walmart. She stated that she clocked the distance and confirmed the exact mileage from their neighborhood to the surrounding grocery stores. Ms. Nix stated that from the corner of White Road and Highway 41, to Walmart on Watson Boulevard, the distance is 2.8 miles, and 4.3 miles, if she takes the long way. Ms. Nix stated that there is a Kroger 1.5 miles from the project location. Ms. Nix emphasized that there should be major concerns with a fuel center also that closely to the school. Ms. Nix said if a car were to hit a gas pump in the fuel station of the proposed project, and exploded, there would not be enough time to secure the safety of the children. Ms. Nix stated she purposely purchased a house in a residential area and she wants it to stay in a residential area. Mr. Blazi reminded everyone that the area surrounding is already a commercial area. Ms. Nix stated that as a retired school teacher, her opinion remains that by having a fuel station so close to the school puts the children at risk. Mr. Kirk rebutted by stating that the traffic analysis was thorough and that even though school let out at 3pm, the peak traffic time associated with the actual store in the p.m. hours are between 5pm and 6pm. Mr. Kirk stated that there was an extensive study performed by Business Insider Magazine that was done to reflect a statistical analysis of over one million transactions during a six year period that there were no negative impacts on property values in the vicinity of over 160 Walmart

locations, and that the home values in fact increased, adding that the study was not performed on behalf of Walmart. Mr. Blazi asked City Engineer if there were comments from his department that he could provide. Mr. Gray stated that the Engineering Department had requested the traffic study be done. Mr. Gray stated that he would have to review the project from a traffic standpoint to determine a formal recommendation. Mr. Rowland requested to be shown where the existing sidewalks are located. The audience provided that there are no existing sidewalks adjacent to the property. Mr. Blazi clarified the plans by asking Mr. Kirk what modifications were included on the preliminary plat. Mr. Kirk stated that there will be an additional two turning lanes, and that there are no current plans for added sidewalks. Patricia Gardner 107 Caravelle Court, Byron, stated that she had read a study that showed that there was a negative impact to property values, due to Walmart stores targeting older modest neighborhoods, and that their neighborhood was not that. Ms. Gardner stated that there are too many Walmarts. Ms. Gardner provided that there are two Walmart Supercenters within an eight mile radius and two brand new Neighborhood Markets in town, and that she doesn't agree that property values wouldn't be affected. Joyce Phillips of 114 Chasen Court asked if the board makes the final vote, or if there will be another hearing. Mr. Blazi stated that the board will make a recommendation to be heard at Mayor and Council for the final decision. Ms. Phillips stated that she understood that there is already commercial property fronting Highway 41 and that the rezoning request was made in order to not limit the size of the allowable construction, however, she stated that she doesn't wish to have a store of that size be built there. Mr. Blazi called for a vote.

The motion was made by Mr. Taylor and seconded by Mr. Blazi to recommend the approval of the request. The motion carried unanimously.

7. ANNEXATION – Tom Brightman requests the annexation of 104 Melanie Lane from the zoning of R-2[Single Family Residential District][County] to R-2[Single Family Residential][City]. Kelly Burke was present to represent Tom Brightman. Mr. Blazi asked if the property was contiguous. Sherri Windham confirmed that was. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend the approval of the request. The motion carried unanimously.

8. ANNEXATION – Tom Brightman requests the annexation of 1246 South Houston Lake Road from the zoning of C-2[General Commercial District][County] to C-2[General Commercial District][City]. Kelly Burke was present to represent the property owner. Mr. Blazi called on any opposition. Terry Bailey was present to represent his client, a resident near the proposed annexation. Mr. Bailey stated that his client had informed him of construction that had already taken place on the property and caused drainage issues. Mr. Blazi stated that the construction in question would have been done under the County's Engineering Department's approval, and that regardless, the property is already commercial as it exists. Mr. Bailey requested that the board return the application to the planning staff, or allow for annexation by resolution, in which the citizens would take part in voting. Mr. Burke stated that the construction in question was done by Mr. Brightman in order to preserve a historical church by relocation. Mr. Burke added that there was an extensive process involved under the County's approval.

The motion was made by Mr. Rowland and seconded by Mr. Head to recommend the approval of the request. The motion carried unanimously.

9. VARIANCE – Cleve Cunningham requests a 14.4ft setback variance at 100 Spillers Way. Cleve Cunningham was present to represent Dr. Spillers. Mr. Cunningham stated that since the previous Planning and Zoning hearing, he had met with Sherri Windham, as well as City Building Official, Bill Mulkey, and Assistant City Engineer, Katherine Wade, to discuss the request. Mr. Cunningham stated that since the previous meeting, the original request has been modified and that he is requesting the 14.4 foot variance to the setback,

due to the shape of the lot. Mr. Cunningham added that this project would be the only project in need of a setback variance due to the hardship that the shape of the lot presents, and that no other lot in Spiller's Way presents that hardship. Mr. Blazi called on the Engineering Department for comments. Assistant City Engineer, Katherine Wade stated that the recommendation of the Engineering Department remains that the variance not be approved. City Engineer, Walter Gray stated that the Department would not recommend the approval of the request due to the need to maintain consistency along Houston Lake Road, and that the setback requirements provide additional greenspace and a buffer from the road. Mr. Gray stated that he did not believe that the lot layout provided a legitimate hardship. Mr. Cunningham stated that he did not feel that the request would even be noticeable. Jim Taylor asked if there was any landscaping improvements to be included with the plans that could help make the variance less noticeable. Walter Gray stated that perhaps there could be additional improvements, but that the issue still remains that the variance is not recommended to be approved. Mr. Blazi asked if the variance would cause a problem if the road was ever widened. Mr. Gray stated that while it may potentially cause a problem in the future, the main concern is the aesthetics, and the potential to set a precedent along Houston Lake Road. Mr. Gray suggested that instead of allowing for variances, that the rules may need to be changed, if there can commonly be exceptions to the rules. Mr. Blazi asked why the layout of the building couldn't be changed to adhere to the setback requirements, adding that the only loss would be a few parking spaces. Dr. Spillers stated that within the covenant in Spiller's Way, it is required that there be two fronts to each building, meaning that a front side of the building would face Houston Lake Road, and a front side would be seen and accessible from Spiller's Way. Dr. Spillers stated that while losing two parking spaces may not seem like very many, those parking spaces would be quite valuable to a medical facility, to accommodate additional patients in need. Dr. Spillers stated that he has already lost two parking spaces when the request was modified, and that there is a large manhole that is present already, that would need to be built around. Dr. Spillers added that he totally disagreed with the idea that the building would not look aesthetically pleasing to Houston Lake Road. Mr. Blazi stated that the Engineering Department stated that the request presents a problem, to which Mr. Spillers rebutted that the Engineering Department did not, in fact, state that the request posed a problem, but rather would set a precedent. Sherri Windham stated that the shape of the lot does in fact create a hardship. Dr. Spillers stated that the request was only for a corner of the building, and not an entire side, adding that the corner that would encroach on the setback would be hardly noticeable, if at all. No one was present in opposition.

The motion was made by Mr. Taylor to approve the request with the stipulation of adding additional landscaping improvements to mitigate the noticeability of any setback encroachments. Mr. Rowland seconded the motion. The motion carried unanimously.

As there was no further business for discussion, the meeting was adjourned at 7:14pm.