



CITY OF WATERTOWN, NEW YORK

CITY PLANNING BOARD
ROOM 302, WATERTOWN CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3380
(315) 785-7730

MEETING: May 6, 2014

PRESENT:

Sara Freda, Chair
Michele Capone
Larry Coburn
Lin Fields
Lori Gervera
Neil Katzman

ALSO:

Kenneth A. Mix, Planning and Community
Development Coordinator
Michael Lumbis, Planner
Andrew Nichols, Planner
Justin Wood, Civil Engineer II

ABSENT:

William Davis

The May 6, 2014 Planning Board Meeting was called to order at 3:03 PM by Planning Board Chair Sara Freda. Mrs. Freda then called for a reading of the Minutes from the April 1, 2014 Planning Board Meeting. Mrs. Fields made a motion to waive the reading of the Minutes and accept them as written. The motion was seconded by Mrs. Gervera, and all voted in favor.

ZONE CHANGE – MCDONALD'S

111 CHESNUT ST – PARCEL 14-13-227

The Planning Board then considered a request submitted by Kurt Wendler of Sphere Holdings LLC to change the approved zoning classification of 111 Chestnut Street, parcel 14-13-227, from Residence A to Neighborhood Business District.

Mrs. Freda explained to the audience that the applicant would present their proposal to the board, and afterward there would be an opportunity for public comment.

Kurt Wendler approached the board. He explained that Greg Widrick of Sphere Holdings and Chris Boyea of Bohler Engineering were also present.

Mr. Widrick showed a PowerPoint presentation to the board, and explained the project and the history of his development company. He said that he had grown up near Watertown and remembered walking down Washington Street to get lunch when he was a child.

He explained that the front parcel of the property was already zoned Neighborhood Business, but it is too small to be developed as-is, being only 1/3 of an acre. He mentioned that there is already a lot of retail in the area—the whole west side of Washington

Street between Chestnut and Iroquois has commercial development, including Dunkin Donuts, Tops, Kinney Drugs, Stewart's, and Sunoco.

He noted that the dentist just to the north has a variance to use a rear lot for a parking lot, which extends roughly the same distance back from the street as the McDonald's parking lot would. Sunoco also has a non-conforming parking lot which extends into the Residence A district. All the parcels in this area were too small when the area was originally zoned, and the retail uses have been expanding westward gradually for decades.

Chris Boyea approached the board to explain the preliminary site plan. Because a drive-through was proposed, there would be a counter-clockwise circulation pattern. He also explained that the site's history as a gas station would mean there is a high probability of environmental issues. Remediation is costly, and not likely to occur unless there is a redevelopment project. His client has the means to clean the property.

He explained that his firm has designed other McDonald's in Watertown, and that the other two locations have been good community citizens as far as cleanliness and traffic impact are concerned. The project would be ADA compliant and pedestrian friendly.

Mr. Katzman asked if there was any way to mitigate odor from the grills and dumpster.

Mr. Boyea said that technology for odor control has improved. There will be filters and scrubbers on the exhaust fans in the kitchen, and all the mechanical equipment will be on the roof.

Mr. Boyea then noted that the restaurant was not likely to generate new trips. Washington Street has high traffic already, and the restaurant aims to capture customers from the existing traffic flow. Given that there are two other McDonald's already in the city, no one would be making long trips to visit this location.

Mrs. Fields asked why this particular location was chosen.

Mr. Widrick said that the high traffic on Washington Street and the proximity to a traffic light make it a good choice—it has easy access and many potential customers. Washington Street has about 13,500 cars passing per day.

Mrs. Gervera asked how the depicted restaurant compares to the other locations in terms of square footage.

Mr. Boyea said that it will be slightly smaller than the State Street location.

Mr. Katzman asked how traffic would be handled if cars backed up around the restaurant in the drive-through queue. He worried that they may block traffic in the street. He mentioned that he had stopped at Sunoco on the way to the meeting for gas, and it was very difficult to exit their parking lot, and conditions would be even worse with the proposed development.

Mr. Boyea replied that, given that this site would be a blank slate, a lot of the traffic concerns can be mitigated. For instance, the store will have two menu boards to speed up the queue.

Mr. Katzman asked how many drive through customers were expected each day.

Mr. Boyea said they did not have an estimate at this point.

Mrs. Fields said that the neighborhood seems to be concerned about maintaining their property values, and are worried about commercial uses cascading further down the street.

Mr. Boyea noted that the actual building would be located within the area that is already zoned Neighborhood Business, the rear lot would only be for parking and vehicle circulation, much like the nearby dentist office.

Mrs. Freda addressed the board, reminding them that the current application is a zone change request, not a site plan review. Discussion and comments should focus on the potential new uses offered by NBD, not on the details of the site plan design.

She then asked if the applicants had any more to say prior to the public comments.

Mr. Widrick reiterated that their proposal would clean up the corner. The area is growing and the current zoning is inhibiting development.

Mrs. Freda invited the public to approach the microphone if they wished to address the board.

Bruce Irwin of 285 Chestnut Street said that he is a retired DOT engineer, and in his opinion the board should not make a decision without considering all factors, including traffic. He said that the current traffic levels are very high. Thompson Boulevard is a two lane street that handles 4,600 cars per day—and with Washington handling over 14,000, traffic is at the level where widening the roads may be warranted. He said that the close proximity of the driveway to the intersection is problematic. The board should require full traffic information.

[Note: a 2008 traffic report by the Engineering Department indicates that the actual daily count for Thompson Boulevard at Washington Street is 3,611 ADT.]

Michael Corbett of 119 Chestnut Street said that he is against the change for many reasons. He believes that the restaurant would be a nuisance to the neighborhood. Other McDonald's locations are not in residential areas, so why start now? Too much traffic would be generated. Children walking to and from school would be in greater danger. Bright lights would shine into nearby homes 24 hours a day. Headlights from the drive-through would shine directly into his house. Noise from the ordering boards could be heard in his house. Topography drops off from Washington, and runoff could come into his yard. The smell of the cooking and dumpsters would permeate the neighborhood. He concluded saying that he is not opposed to development in general, but this location should be an office, not a high-volume restaurant.

Amy Corbett of 119 Chestnut Street said that her house is just 20 feet from the proposed entrance driveway. Her house was built by her husband's great grandfather, and now its tranquility is under threat, causing her nightmares. She only heard of the change two weeks ago, and had flown back from Florida to oppose the change.

Mary Espinoza of 123 Chestnut Street said that she had for submittal to the board a petition against the change with 105 signatures [filed in City Engineer's office]. She said that she believes Sunoco will come back and try to expand their operation again if McDonald's is approved. She said that she moved to the area to be closer to her parents. She is also concerned about additional danger to school children, as she has seen them jaywalking in this area. She would like to see big business locate elsewhere.

Reverend Dr. Marti Montovani of Stone Presbyterian Church, 140 Chestnut Street, told the board that her congregation had held a special meeting, at which there was a unanimous vote to oppose the zone change. They are worried about additional traffic on Sherman Street, late night loitering, litter, a negative impact on nutrition, and domino effect for development in the area.

Fred Benedetto of 227 Elm Street said that he has lived in the area for quite some time, and the large amount of traffic that cuts down Brook Drive to avoid Washington Street is an indicator of congestion in the area. Dunkin Donuts already causes a back up on Washington Street. He is opposed to the change, his opinion informed by having been here for 56 years. The previous owner of the region's McDonald's franchises avoided the area.

A letter from Joanne Nugent-Ward of 156 Chestnut Street was read aloud. [Letter filed in the City Engineer's office.]

Christopher Jank of 208 Chestnut Street that he is opposed due to traffic, danger to walking students, the possibility of Sunoco expanding if McDonald's is successful, and the fact that other sites further south are better suited.

Elizabeth Yurack, owner of 118 Elm Street, said that she was concerned that people would loop around on Elm Street to avoid the light and get to McDonald's faster. She thinks the curb cuts are too close to the intersection. Her property is on Elm Street, it is a duplex rental with good tenants, and any detriment to that property could affect her income directly.

Mrs. Freda listed several letters that were received prior to the meeting:

- A letter from Christine Dear on behalf of Stone Presbyterian Church, 140 Chestnut Street, in opposition to the change.
- A letter signed by Mary Espinoza, Roman Espinoza, Patricia Abbott, and Rehba Clarke, sent from 143 Chestnut Street, in opposition to the change.
- A letter from Alexandra and Zackary Velasquez of Dover, Delaware in opposition of the change.

- An email from Phil Sprague, 531 Washington Street, in opposition of the change.
- An email from Brian O’Leary, Ft. Huachuca, Arizona, owners of 129 Chestnut Street, in opposition of the change.
- An email from Nancy Penrose, 1202 Sherman Street, in opposition of the change.
- An email from Christopher Jank, 208 Chestnut Street, in opposition of the change.

Mr. Katzman said that after reviewing the application materials and listening to the neighborhood feedback, he believes that the application should not be approved for the same reasons than Sunoco was not recommended for approval in 2011. Namely, he is concerned with traffic and the unwanted encroachment of commercial uses into a residential area. He said that, as a licensed real estate broker, he believes the change would have a negative impact on property values.

Mrs. Gervera and Mrs. Fields concurred that an impact was likely or at least possible.

Mr. Katzman mentioned that 24-hour operation would have a major impact on the area, and the new dumpster would attract crows and seagulls.

Mrs. Fields said that many years ago, during her previous tenure on the planning board, a similar issue had come up at the corner of Barben and Washington. She had voted against that proposal, and she plans to vote against this one. She said that she likes McDonald’s and she thinks it is a great organization, but she does not want it in this particular location.

Mrs. Capone said that she would like to make a motion against the application.

Mrs. Freda explained that the board had been advised to make only positive motions for legal reasons, so the proper procedure would be to make a motion recommending approval, and then vote against it.

Mrs. Capone moved to recommend that City Council approve the request submitted by Kurt Wendler of Sphere Holdings LLC to change the approved zoning classification of 111 Chestnut Street, parcel 14-13-227, from Residence A to Neighborhood Business District.

Mrs. Fields seconded.

Mrs. Freda, prior to the vote, said that she feels the proposed project is a substantial increase in the intensity of use for the area. It also creates a material conflict with the existing zoning. Approving the change would impair the character and quality of the neighborhood, and would invite further commercial encroachment.

Mrs. Freda then questioned the board on Mrs. Capone's motion. All voted in opposition.

For the benefit of the applicant and the audience, Mr. Mix noted that the City Council will likely hold a public hearing and make a final decision on the application at their June 2, 2014 meeting, to be held in this room at 7:00 pm.

**SITE PLAN – EMPSALL'S PARKING LOT
VL-1 JB WISE PLACE – PARCELS 7-01-135, 7-01-112.003, 7-01-114.001, 7-01-115**

The board then considered a request for site plan approval submitted by Ryan Churchill of GYMO, on behalf of Neighbors of Watertown, for construction of a parking lot and driveway at VL-1 JB Wise Place, parcels 7-01-135, 7-01-112.003, 7-01-114.001, and 7-01-115.

Mrs. Gervera and Mrs. Fields disclosed that they are on the board for Neighbors of Watertown, but have no personal financial interest in the project.

Mr. Katzman disclosed that he does some snow removal and landscaping work for the neighboring doctors' office.

Mr. Churchill approached the board and explained the project. He showed a revised drawing with an altered parking circulation pattern. The spaces were now perpendicular to the new driveway to avoid encouraging cars to cross over the neighboring lot.

Gary Beasley of Neighbors of Watertown interjected that the intent had never been to use the neighboring lot for circulation, since Neighbors' new lot has its own two-way access. He mentioned that the new layout would also work better for snow removal.

Mrs. Capone asked if the appearance would be similar to the recently approved Woolworth lot.

Mr. Beasley said that it would, with similar materials and matching lighting.

Mr. Katzman asked if it would make more sense to combine all three parking lots in this area into a single shared lot.

Mr. Beasley said that the large elevation changes and different access requirements would make that difficult.

Mr. Mix noted there had been some opposition to the design from the manager of the neighboring medical office building, but that the design changes shown today would eliminate the need for Neighbors to get permission from that neighboring property owner as mentioned in Summary Item #5 in the staff report.

Mr. Churchill said that Bernier & Carr were working on the site survey, so that could be submitted separately later on.

Mr. Beasley said that Bernier & Carr surveyors were working on some changes to the subdivision plan that was submitted to the board a couple months ago.

Mr. Wood said that once the survey is complete, the property lines would need to be overlaid on the site plan.

Mr. Churchill reviewed each of the summary items listed in the Planning Office memorandum. He stated whether or not they have been addressed or are currently being addressed. He had no issues with any of the summary items.

Mr. Katzman then moved to recommend that City Council approve the site plan submitted by Ryan Churchill of GYMO, on behalf of Neighbors of Watertown, for construction of a parking lot and driveway at VL-1 JB Wise Place, parcels 7-01-135, 7-01-112.003, 7-01-114.001, and 7-01-115, subject to the following conditions:

1. The applicant shall provide a paved T-intersection where the driveway loop connects to Safford Lane. “Yield” signs must be installed in addition to the proposed “Do Not Enter” signs.
2. The applicant shall revise the curb cut radii at the entrance from JB Wise to match the existing curb and sidewalk.
3. The applicant shall confirm or revise the spot elevations near the northeast corner of the parking lot.
4. The applicant shall add a chamfered corner to the southernmost parking space in the upper tier to prevent unnecessary loss of green space.
5. The applicant shall acquire permission from the owner of the adjacent parking lot (PN 7-01-112.002) for work on their property, and for creating a circulation pattern across their property. Alternatively, the applicant may alter the circulation pattern so that the two lots are separated.
6. The applicant shall demonstrate that current lighting levels are sufficient. If new fixtures are needed, a photometric plan must be submitted which accounts for existing and proposed light sources. Any new light poles shall match those used on Public Square, or as otherwise approved by the City Engineer.
7. The applicant shall provide a stamped boundary and topographic survey.
8. The site plan shall depict actual property lines as determined by the surveyor.
9. The applicant shall separate the site plan into two sheets—one for grading and drainage, and one for site and landscaping features.
10. The applicant shall provide an Engineering Report.

Mrs. Gervera seconded, all voted in favor.

Mr. Coburn moved to adjourn the meeting.

Mrs. Capone seconded, all voted in favor. The meeting adjourned at 4:53 pm.