

Walden Town Board members debate zoning changes

(Editor's note: Below is a transcript of comments made by the mayor and aldermen of Walden at the town meeting on Oct. 8 where the three elected officials considered amending the official zoning map of Walden to allow for a new commercial development along Taft Highway. The alderman voted 2-1 (For: William Trohanis and Sarah McKenzie; against, Lee Davis) to amend the zoning map. A final reading will take place on Tuesday evening. The transcript has been lightly edited).

MAYOR WILLIAM TROHANIS: It's an exciting time for the residents, visitors and business owners of Walden that we as a board serve.

The beauty and charm of our town is attracting young families moving to the mountain for the first time or in some cases returning a stone's throw from a childhood home. At the same time, residents that have been here for decades are creating new memories with loved ones and grandchildren in spaces given new life by the hard work of this board, volunteers, and our community.

Personally, it was a special moment to see my granddaughters playing at the Pumpkin Patch.

As the composition of our community changes, so do the need of our citizens. This is precisely what we're here tonight to discuss. I've spent the last six months listening to our residents young and old, lifelong residents and newcomers eager for their feedback on what they love about our great Town of Walden and what could be better. Young families are vocal about a need for a variety of convenience. An 81-year-old longtime resident sent a letter and voiced her opinion in favor of the development because "it's what the town, her children and grandchildren need in this day and age." Other residents are concerned about environmental and sustainability impacts. All of us, myself included, are adamant about preserving the character and the charm of this city that we love.

There is an opportunity before us that if done right will amplify the values, the charm, and the attractiveness of our town. It can be consistent with our track record of successfully breathing new life into blighted property, for the benefit of our residents and our visitors. The town has the ability to impose conditions attached to the center that the developers are required to meet. We can control the exterior materials, the signage to ensure the tranquil feel of our community is preserved.

Regarding environmental concerns, there are standards for Hamilton County and for stormwater runoff and the state of Tennessee has strict controls for sewage. These are

the experts in this area that we, like many local municipalities, defer to. The developer has not provided any plans for either of those simply because the rezoning has not happened. If this does become an issue, there's an extensive engineering plan required that has to be submitted for both things. If it doesn't meet the requirements, a building permit will not be issued until it is accurately developed. Period.

We're fortunate to live in a community where we can voice our opinions. They will be heard and considered. Unfortunately, our town is divided on this topic. In this day and age, especially on a topic that we're all passionate about, it's critically important to me that we uphold a standard of respectfulness and compassion for one another and our neighbors. We have been elected to make these decisions and it's certainly not the first time that we've been at a crossroads. The McCoy Farm & Gardens sat vacant for many years. It's now a community gem for all the mountain to enjoy. The Bachman Center is thriving, the Pumpkin Patch has regrown with new structures and bathrooms for all to enjoy. This very town hall has been completely redone, and thanks to our collaboration with the county we have a brand new fire hall, an example of when I and the board worked very closely with the architect on the design and materials to ensure it's consistency with the look and the feel of our town. The Ace Hardware, not only a resource to the residents but is a large portion of our sales tax revenue, is a great example of smart development serving our residents of Walden. Change done right propels communities forward and preserves the longstanding Town of Walden for many generations to come. Each of these projects was met with early opposition, that I hope are now developments that you and your families enjoy and are proud of. I know that I am.

The tax dollars play a critical role in providing the services we have become dependent upon, such as maintaining our properties, paving, curbside trash and curbside recycling, and supporting our Walden's Ridge Emergency Services.

I am extremely pleased with this volunteer board as we complete our due diligence efforts on projects and serve our community to the best of our ability. Regardless of the outcome, our commitment to serving the needs of our Town of Walden are our utmost priority.

Thank you.

ALDERWOMAN SARAH MCKENZIE: Okay. I also wrote down my comments so that I wouldn't forget any.

I have read carefully every letter and email received by the town regarding the project and I've listened carefully to those who voiced an opinion to me privately or at our meetings and I really appreciate everybody that's made an effort to express their opinion and especially grateful to some of you that done a lot of research and spent a lot of time on — on the petitions and so forth. It's important that you're that involved with the town. I've also reviewed the Walden Plateau Plan, Town Center Plan, our zoning

ordinance, and the transcript of the public hearing that we had last month and I've done some research on land-use planning that's been proven to be — land use plans in other towns and other statistics.

Many of the letters we've received are including information that has proven to be incorrect and based on gossip and social media rather than facts. I've also been concerned that petition signers and letter writers don't have all the facts based on some of the comments. I've been determined to consider both sides with an open mind and objectivity and fairness. Truly I've been back and forth on whether to support the development or not and I've struggled particularly with the conditions in the VC-1 zoning ordinance and the mission statement.

I've got in my comments advantages and disadvantages:

The advantages

The local option sales tax and property tax from the development should be considered not just as a replacement for the hall tax but also allowing Walden to continue to provide the services and improvements to amenities without an undue burden on the homeowners. Street paving, developing walking trails, parks, recreation facilities and planned improvements at McCoy are not going to come free.

I truly believe that a grocery store will reduce traffic going up and down the mountain. I've looked at the census numbers. There are 5,000 adults in 37377 that are not employed or employed on the mountain. So it's reasonable to assume that given a two-adult household as many as 2,500 people don't have to drive off the mountain every day to go to work. A grocery store on the mountain would capture many of these and offer convenience and affordability for the elderly and the young families.

The wear and tear on Taft Highway. There's been some concern about that and TDOT has confirmed that it's a state and federal highway and it's built to withstand truck traffic. A full-service grocery store actually has fewer trucks than a small store because it has more warehouse space. And also since it's a state highway the state is responsible for maintenance and cost of infrastructure. Walden will have no cost of infrastructure. There's been some mention of an Erwin, Tennessee, store and how that town had to — to contribute to the infrastructure. That was actually tax increment financing that that town agreed to in order to entice the store to come. Walden is not having to entice this grocery store to come.

I truly believe that the site is an eyesore. It's not a forest that would be clear cut. The additional trees and green spaces on the site plan offer more landscaping and green space than currently exists on the site. And, of course, we've talked about the commercial greenhouses and offices currently are larger than the proposed development.

Over 7 acres of the site's already zoned commercial or is legal conforming non-commercial. So this zoning is only really changing 2 more acres. With the current commercial tracts the developer could just put a convenience store and a strip of retail

office buildings each under 5,000 square feet with parking in the front. I don't think that's what we want it to look like.

This area was cited as the site for the Walden Town Center plan in previous plans — for Walden Town Center in previous plans and RPA has confirmed for us that a future plan would most likely confirm this location as the Town Center.

I think that this development would help small businesses on the mountain by keeping traffic on the mountain. Rather than going to Walmart to buy a child's birthday present or a can of paint while getting groceries, shoppers could choose the businesses on the mountain. There's been some information about retail vacancies on the mountain. 14,000 square feet in the town of Signal and 10,206 square feet in the Town of Walden. Typical unanchored shopping centers, their vacancy is 10, 15 percent. So the 14,000 square feet is 9 percent of the retail space in Signal Mountain — in the town of Signal Mountain and 10 percent of the retail in Walden. Even if you exclude the Pruett's anchored center, which is technically an anchored center and is, I think, pretty close to 100 percent occupancy, the retail in Signal is still just 15 percent. Online shopping, delivery and pickup options for groceries house the there?

All right, the negatives.

This has been portrayed as a big-box development with a mega-grocery store and a strip mall and will lead the way to Walden looking like Gunbarrel Road. A grocery store, to me, is not a big box. The retail estate glossary definition of a big box is 50,000 to 200,000 square feet offering a variety of merchandise such as a Costco, a Target, a Home Depot or a Walmart. In real estate terminology, a grocery store is a neighborhood shopping center. A large grocery store or mega grocery store currently averages about 60,000 square feet. I've looked at the sizes of the Publix and the Food City stores all around our county and this would be the second smallest store in Hamilton County. I also think that a grocery store can and does exist in both rural areas and village centers all over the country. Examples are the Food City in Harrison, the Ingles in Cashiers, and the Food Lion in Blowing Rock.

One of the arguments has been that a grocery store is not needed, that it will go dark in a few years. Before a grocery store or any retailer agrees to sign — sign an option to lease in a new area, extensive research is done on the demographics, the traffic patterns, the topographical divisions, etc. So stores know where the majority of their come from based on their value cards. And the grocery stores does sign a 20-year lease typically.

One point that's been suggested is that the rezoning request would pave the way for future rezoning and more commercial development. I don't know if this has historically been true or not, but I do know that our population does not meet the minimum requirement for most chain retailers and we are geographically limited in growth. You're not going to see a Home Depot or a Target going up in the Town of Walden or the entire area for that matter.

There's been a lot of discussion about the environmental concerns. The Tennessee Department of Environment and Conservation has confirmed that there are no mines on the property. The coal seams are all over the mountain and they exist under other commercial developments. The required soil borings, market existing shoppers environmental site assessments and the permitting process would address these concerns. Any kind of commercial development requires a subsurface soil analysis and environmental site assessment. The civil engineering required for the design of the wastewater and the stormwater system typically costs hundreds of thousands of dollars and is not done for a project prior to rezoning. If the systems can't be designed to meet the regulations, then the development does not happen, regardless of the zoning. Since the area plan in 1997, the EPA has had a major focus on decentralized septic systems and stormwater management and there have been a ton of new regulations that have evolved since that time.

Traffic on Timesville. I think the traffic is already bad at that intersection. The traffic study that was submitted uses existing traffic counts and then the growth rates and the population that fits that traffic and the industry standards for traffic trip generation for the type and size of the development. The report found that the Timesville intersection would only have an additional one to three-second delay. That doesn't mean just wait one to three seconds. You may already be waiting without even being there two or three minutes already. So that's just an additional delay. The report has been reviewed by an independent engineer and I believe is currently being reviewed by TDOT.

Okay. Those are the negatives. Then I wanted to talk about the mission statement.

Regarding the land-use plan, I firmly believe that the zoning and land-use plans should be updated, and just because an existing zoning ordinance exists doesn't mean it's good for all time. We are very past due in updating these, given the growth on the mountain. However, a land-use plan is a process and will take time. The first step is the survey that we conducted back in the spring and then we will also need to pick a consultant, get bids, have community meetings, etc. A new land-use plan is not going to change the Taft Highway corridor from being commercial and mixed-use. In the meantime, if we delay this, the grocery store will be developed a couple of miles down the road and we will have missed an opportunity.

The purpose of our zoning ordinance — we've talked about how it's designed to implement the vision of the Plateau Plan and to be a community that attracts families who can live here through all phases of life, provide for orderly and cohesive development pattern that maintains a small town atmosphere with rural character and green spaces and preserves pristine natural areas for the enjoyment of its residents.

As far as maintaining rural character, I don't think that the Taft Highway corridor of Walden is rural. The rural character is found off the highway in the agricultural and residential areas. Hamilton County is statistically considered urban/suburban. Walden may have a rural character, but not on its 2-mile strip of Taft Highway.

Protecting natural resources. There are no creeks, gorges, overlooks, woodlands, wetlands or pristine areas on the site, on the Walden site.

Protecting property values. Convenient retail typically enhances property values. The location of the Brow Estates neighborhood next to the 60,000 square foot Pruett's shopping center does not appear to have affected those values. If anything, I would think the dilapidated greenhouses would hurt the property values on Timesville Road.

Harmonious and integrated development.

This development is providing pedestrian access, outdoor gathering spaces, and green spaces. The final site plan and architecture will be well planned and cohesive with the architecture of the Town Hall and the Bread Basket and will require RPA and town council approval.

Discourage commercial strip development. The redesigned site plan is not designed as a strip center. A strip center has parking in the front. The shops will be village-like with a front both on Taft Highway and internally towards the parking area with sidewalks and green spaces in between. 80 percent of the Taft Highway frontage is covered by the shops which screens the parking and the grocery store behind it.

Promote high-quality development. This development will have restrictions on signage, lighting, architectural details, and building materials, as well as state of the art wastewater and stormwater systems.

Now for the VC-1 Zoning. I've struggled with this one and I want to go down the development conditions of that.

The first development condition is a minimum of 15 acres. The developer actually owns 23 acres and could easily have applied for VC-1 on a larger tract, but 9 acres was recommended by the RPA with the idea that the current zoning allows the remainder of the property to be developed with residential or preserved green space.

Block Layout. There's no size restriction on buildings in VC-1. The VC-1 zoning provides for a maximum block size of 400 X 400 which can contain five 80-foot lots or up to 16 25-foot lots. The buildings can be constructed with zero front or side setbacks. So the buildings can all be touching and look like one big building. And have to have a 55-foot rear setback for parking. So technically with our current VC-1 zoning we could have blocks that could have 138,000 square feet of building one story or you could get 2.5 stories which the zoning also requires, that's 345,000 square feet. The parking area for each block could be 22,000 square feet and the 24-foot streets and 8-foot sidewalks surrounding just one block would contribute an additional 51,200 square feet of pavement. So with 9 acres being approximately, it's an odd shape, but 600 by 600 feet one — you could put in one block with 345,000 square feet of building space and 73,000 square feet of pavement. My point is that the block layout in the VC-1 zoning may not have been what the town really wanted or needed anyway. RPA and the town have the final approval on the site plan. The pedestrian access with internal sidewalks,

landscaping, and green space achieve a similar effect with much less building square footage and pavement.

The parking, the off-street parking, we've kind of replaced, I think, with amendments in these conditions that take care of the landscaping islands and the preserved green spaces on site.

On-Street Parking. That would be parking on Taft Highway or Timesville. Now those roads are not configured for parking. If we on down the road had, you know, a 25-mile an hour speed limit, it might make sense to do that at that time, but not with the site as it is.

The residential area, I talked about that a little bit. The RPA has said that the connectivity to the Timesville Road area helps this requirement and as I mentioned, the development of the adjoining acreage the developer owns provide an opportunity to have a variety of living arrangements and amenities for our residents in all phases of life.

Number 6, the sidewalks. The development plan does conform to this regulation with sidewalks along Timesville, Taft Highway and the interior sidewalks through the parking area to the buildings.

In summary, I believe that the additional restrictions that have been added to the ordinance replace and greatly improve on the development regulations that have been waived and conform with the intent of the VC-1 Zone. Planted area of 200 square feet. The owner will be responsible for replacing dead landscaping and trees in perpetuity.

VICE MAYOR LEE DAVIS: I think most of us agree that — that the Lines orchard is an eyesore as it currently is. There's no doubt about that. But that's not really the issue. I think sometimes it's important to ask, you know, how did we get here? How did we get to this place where we are today? And I think this part's very important in that we are not being faced with a situation where the owner of Lines Orchard has said business has changed, times have changed and I need to change my business model and therefore, I'm asking you to allow me to carry out an enterprise to benefit the Town of Walden.

Mr. John Anderson, who is a developer and an attorney, recognized an opportunity and in that opportunity he wants us to change fundamentally, entirely our zoning in the Town of Walden. That's a basic fact. How I know that is I also have read the letters and I've consulted the history of the town and I've looked at the long history of the Town of Walden. We're all mostly friends and neighbors and I think we can all agree that there's a way to move forward, but I think if we move forward without a plan and specifically without a land-use plan, I think we're going to run into is this problem over and over again, because if we adopt this proposed zoning change, we are scrapping our entire zoning history of the Town of Walden.

Here's what I mean by this. Let me give you an example. This is a letter that was written by Karen Stone and she talks about the history of how we got these. You may not realize it, we met every Friday for five years to craft Walden zoning ordinances. Believe me, I

was on that committee. It was very long and very tedious and very thoughtful effort. An example of that is result of the Signal Mountain Christian School was able to build where it was because we decided a school could go anywhere. We invented the VC-1 standard based on years of research, study, and debate.

It's clear to me that this is — and this is what we have in front of us. We have a commercial building that is being told to us is a village center. And we have to deal with things honestly and directly. This is not a village center. This is flatly not a village center. How we know that is we look at people's actions. Anderson applied for this to be a commercial building. He did not apply for this to be a center. Now he did withdraw it when he met opposition and resubmitted it and repackaged village center.

I feel confident that Ms. Stone, Billy Ansell, Creed Bates, Ken Bell, Betty and Sam Chester, Sally and Whitney Durand, Fred Hetzler, our first mayor, Mary Margaret Hetzler, Mickey Robbins, Joan and Gene Robbins, Sam and Sally Robinson, who I've spoken to recently about this, and many others never intended when they came up with the zoning in the Town of Walden for a grocery store with a 60,000 square foot parking lot in front of it to be called a village center. They knew what a village center was when they adopted the zoning. That the idea that the zoning doesn't fit is not really true. We had a meeting here in 2017, just two years ago, where our zoning was reapproved by this board, two of us and then Dr. Thom Peterson was the third one, and we all agreed on the zoning ordinances. And the reason I think this is important is because if we want to have a change, if we believe that having a grocery store is the best and highest use of this land, then what we need to do is change our zoning and we don't need to call it something that it's not. You know, we don't need to call it a village center. It's a grocery store. It's a commercial building that I have serious and grave concerns about what's going to happen if we approve this.

I asked Mr. Anderson the name of the grocery store at the last meeting and he wouldn't tell me. If this is such a great thing for the Town of Walden, it will be a great thing when the person who's going to build it comes in front of us and says hi, my name is Lee Davis and I'm planning on building a grocery store. Here's the name of it. Here's what we're going to do with it. The same thing with the other two buildings. The two other buildings that are going to be proposed are up to 6,000 square feet. Those things should cause everybody great concern. They're going to be Taft Highway. They're going to be — each of is larger than our commercial zoning allows.

I think this is critically important. This zoning requirement, this is not something that I came up with. It's not something the mayor came up with. This zoning requirement was the thoughtful deliberation of previous aldermen and previous mayors who sat up here for decades. We're simply the custodians of these elected offices while we're here. The decision that we're going to make is going to affect this town for decades. If it is a good decision — and it may be. It may be a good decision. It will be a good decision when we get some basic questions answered.

The first house my wife and I bought up here in the mid-'90s was Billy Ansell's old house. We bought it from the estate. His grandson sold it to us. And one of the first things we learned was you need to know when you flush the toilet where things are going to go. That house was the second most dilapidated on — in Walden that we bought and renovated and Heather and I bought the most on those Now I dilapidated house in years ago we did the who's lived here for have got to get S-H blank T figured out first before you build a project.

Walden over in Topside. 20 same thing over there. Anybody any length of time knows you. Here's the problem with the thinking that if you build the project, the state will be okay with it. We're all here. We care about what's going to happen across the street. We need — we should demand — the only responsible course of action for us is to demand whoever is going to build out there come forward with us and show us the plan of what's going to go in the ground and how it's going to work. And if it costs money, it costs money. But they need to do that. We don't want Moccasin Bend smells on our Timesville Road and Taft Highway. We just don't. We need to stop it on the front end.

Here's the problem with the thinking that the health department will take care of it. There's nobody else protecting us, you know. We are protecting ourselves. We're protecting each other. Here's the scenario I see. Mr. Anderson gets a contract with a grocery store. He makes a nice profit, as he should. The grocery store will not own the land. It's going to be an LLC and they're going to lease it to the grocery store. And the grocery store's going to be out of Abingdon, Virginia, and the management company's going to be out of Abingdon, Virginia. And then the health department's going to say here's the plan that you follow and they will build it correctly. The first time an 18-year-old kid working at the grocery store throws a slop bucket full of chemicals down into that septic system, it kills the biological material down there. The system is dead. And then we come back — somebody complains to us. It falls upon us as the town, as the mayor and the aldermen, and we go to the state or we go to the — and we say well, you issued this permit. It's not working. What's the problem? They're going to say that is an enforcement issue. Talk to your codes officer. The same guy who we're talking to now about limbs over Wilson Avenue. Right? We should trim those limbs. And that's going to be how it gets sent to the codes officer. Mr. Anderson's not going to own the grocery store. We can't send them down to his house on Hampton. It's going to be somebody else out of state and we're going to be told well, we don't own the land or the grocery store. We're leasing it from another company. And we're going to have an environmental problem. And then many of you or people buying their homes for future generations are going to come back to us and say who could have stopped this problem before it got started? It all looked good on paper. Right? We're the only ones that can stop it. The three of us are the only ones that can stop it. And you by expressing your opinions should hold us accountable to that.

If this is a good idea, it will be a good idea a year from now or six months from now.

There's no downside to it. The — we need to step back and ask that. Why — how did we get here? The fear of the hall tax leaving drives us to have sales tax. We want sales tax, right? We all do.

Wouldn't a good town plan at that area tell us what the highest and best use of this property would be. Maybe we could develop a town corridor from Timesville Road all the way up to the Fairmount Orchard and beyond and figure out what we want to do with it.

The other concern I have is you want to build a — you're going to build a road with one curb cut on Timesville Road. One. How many of you have had problems going in and out of Pruett's on a

late afternoon with traffic? You've got one curb cut that's coming in at Timesville Road. You don't have a traffic light. You don't have any way to get in and out of it. You're going to have young drivers coming in and out of there. Can you imagine turning left — can you imagine coming left out of that grocery store, people are coming 45 miles — at 40 miles down the hill, if they're going the legal speed limit, in the fog? Somebody's going to get killed. Someone's going to get killed coming out of that parking lot and you're going to rightfully say to us why didn't we — you — why didn't we demand a traffic study on the front end? And I — you know, that's the one to three-second delay. It's how are we going to safely get in and out of that parking lot?

That parking lot's going to be lit up till 11:00 o'clock at night. Where does trouble happen after 9:00 p.m.? Where the lights are, right? The only lights from the Sequatchie County line down to Pruett's will be sitting right at the front out there. Top of the W Road to the top of Taft Highway. The police department costs more than \$200,000 to run. So if we're thinking about what are going to be the revenues to the town, we've got to think about what are the unintended consequences and costs to the town. If we have a store that's selling liquor and/or wine/beer and it's selling gas and diesel, you're going to have people up there. You're going to have trouble. It's going to happen. And I'm not saying it's going to be a bad place.

I'm sure it's going to be a fine grocery store. But you're going to have a grocery store and you're going to have the diesel and gas station and you're going to have people coming in there and we have no law enforcement.

Right now we have two cars that patrol the county. When they lay out the districts in the county, they do it with a flat map. So Lookout Valley is the same patrol district that we are. So when somebody — when a patrol car comes up the top of (indiscernible), it patrols down Taft Highway, it patrols through here, and then it goes out into Lookout Valley on the other side of the river. It takes 15 to 20 minutes to get back here. Now we can rely on Signal Mountain. They're a good partner and they'll help us in time of need, time of crisis, but it's irresponsible for us to build a — the largest grocery store — the largest commercial building on the mountain if there's nothing close to it from here all

the way to Sequatchie County and not anticipate that they're going to be crime problems.

And we're going to have these two other stores which we have absolutely no idea what those are. We all know that if — if economic times become stressful, landlords will then — what are we going to end up with there, right? We don't know. Now we can put conditions supposedly on paper about what's going to happen. I have very little confidence that we as elected officials can assure you who these tenants are going to be in those stores. I think that the candid and responsible way for it to be presented to us and presented to you would be for the person who is going to be developing this to come forward and say here's who's going to be here. This is what we're going to build. We've been told there was a bank that had some interest. That's — that's not That's not a plan. That's sort of a something that might be able to look relates to a couple of other issues.

We can just see by the number of people that are in here many people have favored this and many people are against it. I don't think in a town our size we should force change upon our citizens.

I think if this were something where it was overwhelming support for it — overwhelming support meaning more than 80 percent, well, then maybe we take a hard look at it. But the — the data I've seen shows that the majority of the people are opposed to this. And I just don't — and even if you say — for argument's sake let's just say it was 50/50. Why would we impose change on 50 percent of our community if the alternative is we're not saying no to development — we're not saying no to commercial development, we're saying let's get a plan. Let's get a plan. And with a plan have a confidence.

The specific thing we've been asked to consider is a change to VC-1. And here is why I think that — that that doesn't work. There are six requirements and it says — I'm reading from the section. Certain requirements set forth in this section may be waived by the board and mayor and aldermen so long as the plan approves and conforms with the guidelines and intent of this section. Well, I've already talked about the intent. The intent is what the founding families of Walden set up the VC-1 and what they understood to be as a village center (indiscernible) of what it is.

So it says certain requirements may be waived. It does not say all requirements may be waived. It says certain. We are being asked to waive all six requirements. The first one talks about development size. Projects — it says this: This ordinance will be limited to projects no less than 15 acres. Well, the first thing it fails.

It's being asked to be nine acres. And they're saying because of the sloping it could be this and that. The reality is it fails on that criteria. It is not greater than 15 acres. It's not. So it fails on that.

The development layout. It says small four-sided blocks. So that's criteria number two. And it has descriptions of it. These are not — these are not four small-sided blocks.

Number three, it says limited to three of the four sides of the off-street parking.

Obviously, they're going to have to be exempt from that. They're not — they're not — they don't want to build it like that. They're building a parking lot out in front.

And then it says street signs must be designed, on-street parking must be limited. That would not apply because of the — they're not doing internal streets.

And then it says residential area, no block may have more than 20 percent residential area. There is no residential area. I agree that a village center could have an accompanying residential area with it.

Every resident on Timesville Road who's contacted us that I'm aware of is opposed to this. There is nobody from Timesville Road who has spoke at our public meeting; there's nobody who's contacted by e-mail; nobody's contacted town hall who lives on Timesville Road who believes that this is a residential area that's in their benefit. They may not be residents of Walden, but I think you should listen to them. It's their homes. It's their neighborhood.

Mr. Anderson bought his property as a smart lawyer knowing what the conditions were that he could build on when he bought it just like all of you did. When you bought your property in Walden, you knew what the requirements were. So you may be sitting there and asking maybe I don't like the fact that I have to pay high property taxes. This two-acre zoning is something that's really burdensome to me. I think I'd like to go to a three-acre zoning. Would it fair to me to tell him that I'm going to build six houses over at my house around the corner from him? This — and I say that and it may be a bit of an exaggeration, but this is what I'm talking about. This is a fundamental change.

Fundamental. When a property owner can come to Walden, buy a piece of property, have it less than a year, and then come to us and tell us we're going to scrap and rip up a zoning plan, it tells me — I feel like I'm being bullied, to be perfectly honest with you.

I feel like I'm being bullied and I don't think we should yield to that. I understand the economic pressure and it's real. The economic pressure is real and I know Mr. Garvey when he spoke he talked about the increase of property taxes to his home and he has an absolutely valid point and I think we need to get people like Mr. Garvey to help us to come up with it so we don't have that. That is not a fair consequence of this. But I really do believe we can have a development along Taft Highway that coordinates with Signal Mountain, that coordinates with Mr. Anderson's property and it coordinates with Sequatchie County to make this a desirable place. We've all been to places like this. We've all been to mountain communities where there is charm and a sense of commercial development. And after our year-long look at this and developing a plan — we as the customer, we're (indiscernible) right, and we go out and hire a town use planner and we have meetings like we did here or at Bachman and we pay a planner for a (indiscernible) and say what is the best use? I do believe that this intersection is a good place for a town center, a real town center. But if we pay for that plan and it comes back

and the town plan says you should build a 44,000-square-foot grocery store at that site, I think we should do it. But if the town planning comes back and says I think you should have a town center with a town green and maybe mixed-use housing, maybe the things that are all VC-1, we're not going to be asking for six requirements to be waived. We're not going to be asking that certain requirements be waived or all the requirements to be waived.

In my view, if what — if we pass this thing tonight, if we vote to do it, we are making an arbitrary decision and our arbitrary decision is we are ignoring our zoning requirements and we are instead yielding to perceived fear of the economic future with the hall tax. I think we're smarter than that as a community. I think we're better than that. I think we can come up with an alternative. It may delay Mr. Anderson a little while in not building his grocery store immediately.

But I promise you you're going to make a profit on your property and hopefully it will be a better profit and it will affect your neighboring profit of your neighbors. We want your neighbors' properties to come up in value. We want everybody's to come up in value.

There's a risk. Everybody says that well, we'll be getting sales tax off the grocery store. There is a risk. If he's wrong, that thing could be a dead dinosaur. How many people enjoy driving past K-Mart in the last 15 years after it closed its lights? Do you think that that increases or decreases property values? I'm sure — I'm sure the grocery store believes that that's the right site for it, but has anybody from Food City come before us and said let me tell you — that should be — you know when somebody comes to your door selling something and it's such a good deal you've got to buy it today? Don't ask your wife or husband. You've got to buy it today. You've got to sign for it now. I mean, I kind of feel that's where we are. That this is such a good deal that if we don't do it, today the deal's going to be gone.

To me, this is — this is too important I think for the town. We've got to slow down and be careful. If that's a good deal, it's going to be a good deal after we do our due diligence and after we — we as the customer have our town plan and we have input from everybody, because we do need commercial development in Walden and we need to be responsible for its development.

The last thing I just want to say is I do believe that if we move forward as we are now there's going to be irreparable harm to the town. I think that the potential with the septic problems we're talking about that would be irreparable harm. We heard from a retired expert who worked for the state at our last meeting. He spoke to me very convincingly sort of without emotion. If we move forward with this thing — I mean, once that's in — once that drip system is in there, there's no going back on it. We're just — we've got a dead system, basically. So I think that's irreparable harm if we do that.

I think if we build without understanding the traffic study — there was a failing grade on that coming out left onto Taft Highway. You want to risk one of your kids or one of your friends, one of your neighbors getting killed coming left on Taft Highway because somebody said it will be fine as it is? I don't.

[At a church] up on Taft Highway, a five-year-old kid got killed crossing the street to church in the fog chasing his dog. The person was driving the legal speed limit. I represented him. He was driving the legal speed limit. He said he never even saw him. He was going 40 miles an hour. We're going to have people in the parking lot and have people crossing that road. We've got the Pumpkin Patch across the street.

We do not need to approve this thing based on that. There's irreparable harm that could come to us if we're not careful. We've got fundamental problems that need to be sorted out. We've got basic fundamental zoning (inaudible). We've got the issue of we have no police department and no plan on how we're going to police. And we've got the fundamental (inaudible). And haven't really heard the concerns just about the rain runoff. Again, I'm skeptical of any (inaudible) piece of paper (inaudible) the person to build to come in front of us.

Respectfully, I think — those are the concerns that I have. My recommendation would deny the motion, not because we don't want a commercial development. We want a commercial development. Because it's premature and there too many unanswered questions.

Source: Transcript of Oct. 8 Walden Town Hall meeting