

November 15, 2005

The Greenville Planning and Zoning Commission met on the above date at 6:30 p.m. in the Council Chambers of the Municipal Building.

Mr. Jay Yates - *	
Mr. Len Tozer - *	Mr. Bob Ramey - *
Mr. Dave Gordon - *	Mr. Jim Moye - *
Mr. Tim Randall – X	Mr. Don Baker – *
Mr. James Wilson – *	Mr. Bill Lehman - *
Mr. Porter Stokes – *	Mr. Godfrey Bell, Sr. - *

The members present are denoted by an \* and the members absent are denoted by a x.

VOTING MEMBERS: Yates, Tozer, Ramey, Gordon, Moye, Baker, Wilson, Lehman and Stokes.

PLANNING STAFF: Merrill Flood, Director of Planning and Community Development; Harry V. Hamilton, Jr., Chief Planner; Andy Thomas, Planner; Chantae Gooby, Planner; and Kathy Stanley, Secretary.

OTHERS PRESENT: Dave Holec, City Attorney; Ron Svejksky, Transportation Planner; and Robert Cheshire, Senior Engineer.

MINUTES: Motion was made by Mr. Ramey, seconded by Mr. Moye, to accept the October 18, 2005 minutes as presented. Motion carried unanimously.

REQUEST BY TRIANGLE DEVELOPMENT OF EASTERN CAROLINA, INC. – APPROVED

Chairman Yates stated that the first item of business is a request by Triangle Development of Eastern Carolina, Inc. to rezone 2.48± acres located at the southwest corner of the intersection of Pactolus Highway (NC Highway 33) and Mumford Road from RA20 (Residential-Agricultural) to CG (General Commercial).

Ms. Chantae Gooby stated this is a request to rezone approximately 2.5 acres from Residential-Agricultural to General Commercial. The property is located at the

intersection of Pactolus Highway and Mumford Road. Ms. Gooby presented an aerial photography of the property and indicated that north of the subject site is Philippi Church, Country Squire Subdivision and Floral Park Subdivision. To the south is the former Pinecrest Mobile Home Park which is presently owned by the City. Ms. Gooby stated that most of the property is vacant with some commercial zoning and residential development. The property is impacted by the 100 year floodplain and to the south is the floodway. There is a recognized neighborhood focus area at the intersection of Mumford Road and Pactolus Highway. Both of these highways are considered connection corridors and major thoroughfares. This rezoning could generate a net increase of 1,125 trips. Of those 370 would be distributed west on Mumford Road, 185 west on Pactolus Highway, and 570 trips to the east on Pactolus Highway. The Land Use Plan Map recommends commercial zoning at the intersection. Ms. Gooby stated that staff has no objection to the request.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Tozer, to approve the request. Motion carried unanimously.

#### REQUEST BY JARVIS MILLS – APPROVED

Chairman Yates state that the next item is a request by Jarvis Mills to rezone 0.191± acres located along the western right-of-way of Charles Boulevard, 180± feet north of Fourteenth Street, and 100± feet south of Thirteenth Street from CN (Neighborhood Commercial) to CDF (Downtown Commercial Fringe).

Ms. Gooby stated this is a request to rezone property from Neighborhood Commercial to Downtown Commercial Fringe. The property is located along Charles Boulevard, with Fourteenth Street running east to west. To the south of the subject property is the Jolly Roger's Revenge Convenience Store, east is Duck-Thru Convenience Store and King's Arms Apartments. The existing Land Use Map indicates that at the intersection is commercial development. This property is considered Office. The property is not impacted by the 100 year floodplain. Charles Boulevard and Fourteenth Street are considered connector corridors and major thoroughfares. The Land Use Plan Map recommends commercial at the intersection of Charles Boulevard and Fourteenth Street with some office/institutional/multi-family transitioning to the north however the Plan is not site specific.

Mr. Jarvis Mills, owner of the property, spoke in favor of the request. Mr. Mills presented two letters in favor of the request. Ms. Mills stated he wished to have the property rezoned in order for him to expand better use of the property at present and in the future.

No one spoke in opposition.

Motion was made by Mr. Stokes, seconded by Mr. Ramey, to approve the request. Motion carried unanimously.

REQUEST BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT – APPROVED

Chairman Yates stated that the next item is a request by the Planning and Community Development Department as recommended by the Task Force on Preservation of Neighborhoods and Housing, to rezone 148± acres (excluding street rights-of-ways) located west of Memorial Drive, south and east of Belvoir Highway, north and south of West Belvoir Highway from R9 (Residential [Medium Density]) to R9S (Residential-Single Family [Medium Density]).

Ms. Gooby stated this a request that comes from the Task Force on Preservation of Neighborhoods and Housing. This rezoning request is from Strategy No. Six which is to identify neighborhoods that are predominately single family in character, but are zoned in a manner than would permit intrusion of duplex or multi-family uses and to rezone those neighborhoods to prohibit further intrusion. Ms. Gooby stated that running north to south is Memorial Drive. The property is currently zoned R9 and the requested zoning is for R9S. The area is approximately 148 acres. Ms. Gooby stated that there is some RA20 zoning to the south of this subject tract. The area zoned R9 to the north and south of Greenfield Boulevard acts as a buffer from the neighborhood and heavy commercial area. Ms. Gooby presented a map of the existing land uses which include single family homes, 173 lots or 57 acres; vacant property, 87 acres; church property and recreation space. The property is somewhat impacted by the 500 year floodplain. There is approximately 141 owner-occupied dwellings or 82 percent and 32 rental properties or 18 percent. There are no non-conforming uses within the subject area. The intended outcome of this rezoning is to provide an added measure of neighborhood stability and to demonstrate the city's

commitment to single family neighborhood preservation, as part of a comprehensive housing revitalization strategy.

Mr. Ramey asked if the vacant property (houses) was affected by the flood of 1999.

Ms. Gooby stated the subject property was probably north the flooding.

Mr. Lehman asked if the mobile home park would become a single family dwelling neighborhood in the future.

Ms. Gooby explained that presently it is predominately mobile homes and that is the reason the zoning will remain R6MH.

Ms. Catherine Blackwell, resident of the area, spoke in favor of the request. Ms. Blackwell stated she would like to see the neighborhood remain a single family neighborhood.

No one spoke in opposition.

Motion was made by Mr. Tozer, seconded by Mr. Moye, to approve the request. Motion carried unanimously.

#### REQUEST BY PITT COUNTY MEMORIAL HOSPITAL – APPROVED

Chairman Yates stated that the next item is a request by Pitt County Memorial Hospital for a preliminary plat entitled “Upton Tract, Phase 1”. The property is located north of MacGregor Downs Road at its intersection with Allen Road and east of Wyngate Subdivision. The preliminary plat consists of 3 lots on 40.65 acres.

Mr. Andy Thomas stated this is a request by Pitt County Memorial Hospital for a preliminary plat entitled Upton Tract, Phase 1. The property is located north of MacGregor Downs Road at its intersection with Allen Road and east of Wyngate Subdivision. The property is currently zoned MS, Medical Services and the anticipated use is office and institutional uses on three lots. There is a major proposed thoroughfare that will go across this property and is included in this submission. The primary purpose of this plat is to preliminary plat phase1, which will include Lot 1 and Elder Drive. Phase 2 will be future development. The Allen Road extension is being shown as part of Phase 2. Elder Drive connects Wyngate

subdivision out to MacGregor Downs Road. This will be a private drive. There is a fifty-foot riparian buffer across Phase 2. The City's Technical Review Committee has reviewed the preliminary plat. The preliminary plat meets all requirements and city standards.

Mr. Durk Tyson, Rivers and Associates, representing Pitt County Memorial Hospital stated he would answer any questions. Mr. Tyson advised that a representative of the hospital is in attendance if the Commission has questions.

Ms. Francis McNeil, resident of Wyngate Subdivision, asked what the purpose of the road is and why is it necessary to have the road going through the subdivision.

Mr. Thomas explained that at the time the Wyngate Subdivision was developed there was a street stub provided to the east, to this adjoining vacant property. At that time, it was not owned by the hospital and that the standard whenever property is being developed and it abuts adjacent vacant property that is subject for development a street stub is required to be provided. Mr. Thomas stated that since the street stub has been provided they must do something with the terminus of this street. In this particular case, they are going to come off the existing Wyngate Drive, put in a cul-de-sac bulb and it's going to provide a private drive back out to MacGregor Downs Road. Currently, Wyngate Subdivision has only one entrance for egress and ingress. Mr. Thomas stated that staff was concerned for the residents of Wyngate with the number of dwelling units with only one entrance. Staff wanted to afford the residents another opportunity for egress to MacGregor Downs Road. Mr. Thomas stated that he does not see this road adding any traffic to the subdivision but as a convenience to the residents of Wyngate Subdivision.

Ms. McNeil asked what type of facilities would be adjacent to the subdivision.

Mr. Thomas explained that the property is zoned Medical Services and is anticipated that office and institutional uses will be developed.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Tozer, to approve the request. Motion carried unanimously.

## REQUEST BY COLLICE MOORE AND HARVEY LEWIS – APPROVED

Chairman Yates stated that the next item is a request by Collice Moore and Harvey Lewis for a preliminary plat entitled “Oakhurst Park, Lots 1-7”. The property is located west of NC Highway 33 at its intersection with Port Terminal Road and south of Oakhurst, Section 2. The preliminary plat consists of 8 lots on 9.346 acres.

Mr. Thomas stated this is a request for a preliminary plat entitled Oakhurst Park, Lots 1-7. The developer is Collice Moore and Harvey Lewis. The property is located west of NC Highway 33 at its intersection with Port Terminal Road and south of Oakhurst, Section 2. The property is currently zoned Heavy Commercial and Residential along the rear of the property. The anticipated use is office and commercial uses on eight lots. The property is not impacted by the floodplain. NC Highway 33 is a major thoroughfare. The adjoining Oakhurst subdivision was approved by the Pitt County when this property was under their jurisdiction. The developer has worked with the City of Greenville Engineering Department and the North Carolina Department of Transportation on the driveway locations. This development will have one street and 2 driveways. An existing driveway location to the cell towers will be closed. There is an ingress-egress easement across the lots that front on NC Highway 33. It is anticipated that there will be a series of interconnecting parking lots. Oakdowne Drive is being extended to the adjoining vacant property, which is susceptible to being developed. A sidewalk is provided along Oakdowne Drive. It is not anticipated that there will be development in the residentially zoned portion of the property (the R-6 portion adjacent to Oakhurst). It will be used as a buffer and drainage. There are three streets stubs that connect to the future phase. Those streets will be considered at the preliminary plat for the future development. The City’s Technical Review Committee has reviewed the preliminary plat. The preliminary plat meets all requirements and city standards.

Mr. Ken Malpass, Malpass and Associates, representing the applicants spoke in favor of the request. Mr. Malpass stated he would answer any questions.

Ms. Susan Mercer, resident of Oakhurst Subdivision, stated she is concerned about two areas of the development. Ms. Mercer stated she understands there will be a secondary entrance that will come into the neighborhood entrance and cross over into the business area. The concern is having the secondary entrance into the neighborhood because of potential increase in traffic on the neighborhood. Ms. Mercer asked about the holding pond and measures to ensure the residents that it

will be sanitary, not stagnant water and a breeding ground for mosquitoes.

Mr. Thomas stated that to the north of the property is an existing platted right-of-way and has been offered for dedication but has not been constructed at this time. The applicant is not proposing to do anything with it at this time but would be in a future phase, however, unless City Council were to take action to close that street the applicant would have the right and means to use it. In regards to the retention pond Mr. Thomas stated that staff from the Public Works Department will be charged with inspecting all these drainage facilities.

Dr. Rebecca Powers, resident of Oakhurst Subdivision, stated her concerns are the same as Ms. Mercer's in that this a highly congested area. Dr. Powers stated that with the amount of traffic on the thoroughfare, NC Highway 33, if a traffic light could be considered or what could be considered to slow the traffic down. Dr. Powers stated that she believes traffic will increase in the neighborhood and that it would be detrimental. Dr. Powers asked what the pond will be used for. Dr. Powers stated she doesn't have a concern with the zoning but has concern about the type of business that could be allowed.

Mr. Thomas acknowledged that NC Highway 33 is a major thoroughfare and there is where traffic should be. NC DOT has done improvements on NC Highway 33 which includes make the road 5-lanes. Mr. Thomas stated last year the state mandated new stormwater retention rules and now all new developments have to have on-site retention of their stormwater.

Mr. Ramey stated that one of ladies inquired about a traffic light at Fox Haven Drive, what is the possibility of that?

Mr. Thomas explained that would be a decision by the Department of Transportation. Mr. Thomas explained that when the plat was submitted there was a few more driveways than what is on the plan now. Staff worked with the owners, the State, and the Engineering Department to limit the number of driveways to try to minimize the impact it would have on the thoroughfare.

There was discussion as to whether the pond would be a wet or dry pond.

Mr. Ken Malpass explained the difference between a wet and a dry pond. Mr. Malpass explained in detail the requirements of each of the different ponds.

There was continued discussion in regards to the monitoring of existing ponds and future ponds.

Mr. Cheshire advised that it is the property owner has a responsibility forever to maintain the ponds. The City's responsibility is to inspect the ponds and make certain there is documentation stating the ponds are being maintained.

Motion was made by Mr. Ramey, seconded by Mr. Moye, to approve the request. Motion carried unanimously.

### REQUEST BY COLUMBIA RIM CORPORATION – DENIED

Chairman Yates: Item number six. A request by Columbia Rim Corporation.

Mr. Thomas: This is the Emerald Park Cluster Subdivision preliminary plat. The developer is the Columbia Rim Corporation of Vancouver, Washington. The location is north of Davenport Farm Road, it's east of Thomas Langston Road, east of Woodridge North, south of Foxchase, south of Augusta Trails and north of Pinecrest. In red are the streets that have been approved either through preliminary plat or sketch plan (pointing to map) in that area. As you will remember this is in the southwest sewer test area. This is the zoning map. We have three different zones here, R9S, which is the bulk of the property. We have a portion of R6A and a portion of R6S adjacent to the Fairfield Subdivision which fronts on here. These were recommended for rezoning over two different meetings back in February 16, 1999 and March of 1999 and it was rezoned by the City Council on April 8, 1999. Bobby Ray Mills, who owns a portion of the adjacent property, had his property rezoned from RA20 to R6S and R6A. This was recommended by the Planning and Zoning Commission on July 19<sup>th</sup> and rezoned on August 11<sup>th</sup>. The developer has an option on that property and Mr. Mills has signed the petition. There are some zoning lines which don't follow any property lines or streets. These zoning lines would have to be moved prior to final platting. It's mostly clean-up but it's something that needs to be corrected. The bulk of the property is going to be developed as single family residential. The R6A portion will be duplexes. This development is being presented as a cluster subdivision. As you remember, cluster subdivisions are an alternative development option that provides for more efficient use of land while protecting environmentally sensitive areas. The location and arrangement of open space is subject to the Planning and Zoning Commission approval. This is the floodplain map and you'll see there are no floodplain issues

with this property. On the Thoroughfare Plan Map, Thomas Langston Road and Davenport Farm Road are both identified as being minor thoroughfares. The Subdivision Ordinance includes specific design parameters. There are general statements regarding subdivisions that says streets should provide safe, convenient vehicular and pedestrian access. There should be coordinated streets within new subdivisions. The streets should distribute the population and traffic, with conditions favorable to health, safety, convenience and the general welfare. A coordinated street system also provides for more efficient and cost effective delivery of emergency and routine services such as garbage collection. Cul de sacs or terminal streets should not exceed 1,000 feet in length. The staff is concerned with some of the design on the development. In particular, we have a cul-de-sac here (pointing to map) that while it is the 1,000 foot length, as this is being presented as a cluster development, you get reduced lot sizes so we're getting more homes packed on this cul-de-sac. There are 35 homes down this cul-de-sac which has a sharp bend in it. Also, in the duplex portion of the property, you have from the intersection to this street (pointing to map) we have 16 duplexes. We have 24 duplexes down this cul-de-sac (pointing to map). We have 28 duplexes down this cul-de-sac (pointing to map) for a total of 68 duplex units. This is as large as some subdivisions and bigger than some towns. We're also concerned with the long straight stretch of street here (pointing to map) from the terminal cul-de-sac to this street intersection we have a 3,000 foot run which is over ½ a mile. This 3,000 foot straight stretch run sounds familiar to some other streets that we've heard at our Planning and Zoning Commission. Cedarhurst in Westhaven, sometimes affectionately referred to as Speedahurst. It has a length of about 3,200 feet but this is a street where the city has had to go in and put in traffic calming measures, some 4-way stop conditions and speed humps. Crestline Boulevard, the entire length of the street is 5,728 feet but from Greenville Boulevard to this section (pointing to map) is around the 3,000 foot length also. This is another favorite that has been mentioned before our Commission many times Queen Annes Road. That's 4,252 feet of a straight stretch. It's just something about human nature when you get on a road that's 4,000 feet long, you got a 36 foot back-to-back curb, you're on that street alone it's like you're at Talladega the whole world opens up in front of you. Staff is concerned because these are some streets that we have around town that have proved to be a problem and we're concerned with going out and creating a new street which the future residents will more than likely approach the city and ask for traffic calming, 4-way stops, these sorts of things.

Mr. Ramey: These streets that you are referring to all have speed bumps on them.

Chairman Yates: Now they do.

Mr. Moye: Everyone of them does now?

Mr. Ramey: Yes.

Mr. Thomas: The Subdivision Ordinance states that streets shall be designed so that their use by through traffic is discouraged. The Planning Staff believes that it is possible to provide a coordinated street system that utilizes less cul de sac streets and which does not encourage a through traffic pattern which may negatively effect abutting properties. In the Horizons Plan it lists several objectives on mobility: (1) To reduce existing traffic congestion and safety problems. Like we identified, long straight stretches of streets that we're familiar with that we have to go in an install speed humps. If we have a design on the initial approval that signals us that we're going to have to go back in and put in speed humps that's probably a safety issue.

Mr. Tozer: Couldn't we require them to do that in the plat? Couldn't we specify they would be required to put.

Mr. Thomas: We think a better alternative would be to redesign the streets and configure the streets in such a manner that the speed humps aren't necessary.

Mr. Tozer: But we could do that though?

Mr. Ramey: You can vote this either up or down. You can't vote to add to it.

Mr. Tozer: You can ....

Mr. Thomas: Yea, we can't conditionally approve the plats. I mean Counselor.

Mr. Holec: They would actually have to say in reality you couldn't impose that as an additional condition because that's above and beyond what your specification would be. That they, I guess if they offered that, and you put that as a condition you could approve that. However, I'm not sure if the city would be interested in having speed bumps placed in this road without going through the particular process. Our Design Standards don't have speed bumps and you have to go through a particular process. I would be concerned about it.

Chairman Yates: Thank you Mr. Holec.

Mr. Thomas: It also ask that (2) We ensure that new development improves, not worsens, traffic and safety concerns and is sensitive to environmental concerns. (3) To preserve and protect existing and future residential neighborhoods. It also has a statement “In newly developing areas, the City shall develop a collector roadways system that provides access to all new neighborhoods, supports the thoroughfare system, and provides for the efficient provision of public services.” There are some benefits to a coordinated street system, provides convenient and easy access to property owners offering alternative means of travel; provides efficient means of delivering services both public and private. Typically we think about the Fire Department, the Police Department, but we have to consider more mundane things as well. Garbage collection, the city’s regularly going to have to go in there and pick up the garbage. School buses, school buses are going to have to go in there and pick up the children. Also, a coordinate street system increases socialization by creating neighborhoods. Proliferation of cul-de-sacs increases cost by decreasing efficiency and delivery services. This is for all residents of the city would absorb increased costs of public services. If it costs more to pick up the garbage everyone assumes that additional costs. It hampers delivery of emergency services. It hampers all services, school buses, mail, delivery, the pizza guy and it decreases socialization by isolation of residents.

Mr. Baker: Andy you figure this is basically like dollars and cents? I mean it’s just cheaper to build a subdivision like this with one street going all the way down?

Mr. Thomas: Well, I’ll let the designers speak as to why he chose this particular design but like I said the city is interested in a coordinated street pattern where we can efficiently deliver services. In this case we think there are some things that can be done to improve this design. We’ve suggested some improvements. We haven’t even mentioned the cul-de-sacs in the lower area. Don’t get us wrong we’re not completely anti-cul-de-sac, the coordinated street system is better, we recognize there will be some cul-de-sacs but they should be few and limited in nature. We would, based on our concerns the Planning staff has concerns that this means the requirements and city standards and we would ask that the plat be denied. If the Planning and Zoning Commission were inclined to approve the submission, we would ask that the following conditions be included: (1) That the zoning lines be moved to match property lines or public streets prior to any final platting; and (2) That the preliminary plat for Augusta Trails be amended prior to any final platting.

When Augusta Trails was preliminary platted they had a street extension going to the east. The owner of the property at the time, John Brown, had worked out an arrangement with Don Edmundson and the street was actually suppose to proceed down in a southerly manner. Don Edmundson has agreed he's going to revise his preliminary plat to reflect their agreement in the future but we want to that preliminary plat revised prior to any final platting.

Chairman Yates: That's if we approve this?

Mr. Thomas: If you were to approve it. Yes sir.

Mr. Tozer: So the city standard is that the straight run of street should not exceed 1,000 feet, is that correct?

Mr. Thomas: The city standard is a cul-de-sac or terminal road shall not exceed 1,000 feet. Unfortunately, we don't have a design perimeter in our ordinance that says you can only have "x" amount of feet of straight road. However, experience has taught us in these other subdivisions with these long straight stretches what the motoring public habits tend to be and tends to be problematic.

Mr. Wilson: Is there any kind of algorithm or formula for determining given the area and the network? How many cul-de-sacs along with straight running roads, the combinations thereof that you have so you can make sort of a by the numbers determination. If you have this many cul-de-sacs it's going to cost you this much in garbage trucks and so on so you can come up with a bottom line numbers.

Mr. Thomas: Every piece of property is different. They all have different design parameters and when you go into it you have to consider all the things that go into the equation: the topography, environmental areas, the existing thoroughfares and there is some such a mix that I don't know that you can write a formula that says if you got 29 acres you get "x" number of cul-de-sacs.

Mr. Wilson: I know but there could, I mean, you can create models of weather systems I think you could probably, there's probably something available out there in the planning and zoning world, development world, where they come up with some type of computer program that you would enter in and make some determinations. Some objective determinations.

Mr. Thomas: I think there is within our ordinance there's two sets of criteria here. There's the quantitative which says cul-de-sacs should not be 1,000 feet. Then there's also the qualitative which says a system that provides efficient delivery of services. One is just as important as the other. They have to coexist together. It's like the speed limit being 55, the speed limits 55 but you can't always drive 55 because sometimes it's raining or sometimes it's foggy and it's not appropriate to do that then. So while a 1,000 foot cul-de-sac may be okay it might not be okay in all circumstances.

Chairman Yates: Any other questions for Mr. Thomas?

Mr. Moye: Mr. Thomas you mentioned that some of the zoning lines do not follow property lines. Andy, could you point out one or two of those zoning lines for me?

Mr. Thomas: They're just small deviations and they're in this area, I believe they're right in here (pointing to map). They're small shifts. It's not, that's not a big issue and that's something that we regularly do. It's not unusual for them to have one design in mind when they come in and ask for rezoning and then as they fine tune in on the preliminary plat find that they may have to shift some of the lines a little bit.

Chairman Yates: Any other questions for Mr. Thomas?

Mr. Ramey: I have one. Andy, how much trouble would it be for one of fire trucks to go around one of these cul-de-sacs with a car parked in them?

Mr. Thomas: Well, we had talked to them and if there's no cars parked on the street, if there's no cars parked in that cul-de-sac where they could get down there and turn around and come back out, they could do it. But also that's one of the other caveats about a cluster subdivision. You get to decrease lot size in exchange for putting up common areas somewhere else so we're going to have decreased lot sizes here which means they're going to have less room to park, which means there's probably a greater likelihood you're going to have on-street parking. You've got to consider the soccer mom factor when the kids get up for school in the morning you have this 1,000 foot cul-de-sac with the bend in it, if you live toward the end of the bend are the kids going to have to walk down to the corner and get on the school bus, out of sight, around the corner.

Chairman Yates: Any other questions for Mr. Thomas? Thank you Andy. I'll now open the public hearing. Anybody wishing to speak in favor please state your name for the record and you have 5 minutes.

Mr. Tom Johnson: Thank you I'm Tom Johnson. I represent Columbia Rim. I'm with the firm of Ward and Smith. Certainly I appreciate the comments that staff has made. The difficult thing that and this is kind of unusual to hear some of this in terms of the qualitative part of it is when you go to develop a subdivision you've got certain technical standards and rules to follow, they're in black and white. You determine how you fit that on the particular property you're on and that's what you try to look at is those standards. You look at some qualitative things as well, certainly cul-de-sacs is one of those. People like living on a cul-de-sac for some of the very reasons that are being mentioned here tonight that they don't like having through traffic and they like having situations where their children can be where they don't have to worry about that. This plan certainly means those requirements by falling within those technical standards. It's not unusual and this Board over the past, and if I could I'd like to pass these out to just show some examples of some that have been approved previously, preliminary plats or final plats that have been approved with cul-de-sacs. Some of these in the examples you have and if you'll look at those Mill Creek is one example that has a long road. That's been mentioned here. There's some things that when you're doing a new subdivision that you may...

Chairman Yates: I'm sorry Mr. Johnson.

Mr. Johnson: I was going to say Mill Creek that's been approved before has a similar straight stretch and if you'll look at this property, if you'll look at the plat that's up on the screen you'll see that when you went in there's either a straight line of homes along the main road there. That somewhat limits and somewhat shapes how you put the street in. Going behind those homes on the major thoroughfare plus you have a low spot in the middle of this subdivision that you have to deal with and have to get around. If you'll look at these other subdivisions you'll see that in similar situations there's some long roads in those, there's some cul-de-sacs. Again, this the type of planning and the type of subdivisions that this Planning Board has approved in the past. If I could get you to go back, Andy can you go back to the zoning map that's on the power point, can you go back to that? Go back to the zoning map part. It's the zoning and flood map. I think it was on both of them. That's fine. If you can look at what's on the screen now you'll see Charleston

Village. You can look at the cul-de-sacs that are within Charleston Village. You look adjacent to Charleston Village and you've got a number of cul-de-sacs in that subdivision. Taberna which is one of the ones you have that we made a copy of, that has cul-de-sacs. Brighton Place which is just down past Taberna has several cul-de-sacs. All of these fall within the length rules that are within the technical standards that are required. We've done this in order to provide that desirable type of living especially when you're a cluster home development people would like to be in the clusters that are around non-through streets. The other thing in the preliminary plat you will see, in one location, where there is a separation between duplexes and single family dwellings. Any connection within that area and it was pointed out that there was kind of a fork in the road and a fork in the cul-de-sacs, any connection in that area is going to mix uses. You're going to have a mixture between the duplex subdivision and single family if you connect that portion. Certainly with school buses, yes, usually the school buses go to the corners both because of time and the nature of the subdivision. Again, children are use to going to the street corner to catch the bus. I think those parents, those soccer moms, would probably trade off having a quieter cul-de-sac for having their children having to walk with their children maybe in the morning to wait with them at the bus stop. The biggest thing is the precedent that has been set because these cul-de-sacs have been put in numerous locations, roads of this length have been put in. The developer is amenable to agreeing to speed bumps if it be so recommended we could still go through the process but they are certainly amendable to that if this Board would want to recommend that. Again, we'd still go through the process if that's what the city would want to do. We're willing to offer that up. If you have any questions Ken Malpass is here he did the design. If you have any questions of him in terms of design questions he'd be glad to answer that as well and I'll be glad to answer any other questions.

Chairman Yates: Thank you Mr. Johnson. Any questions for Mr. Johnson?

Mr. Stokes: I got one. Did you say all of these were approved by this Board?

Mr. Johnson: Yes.

Mr. Stokes: Okay, you've got two here that are not in this jurisdiction I believe.

Mr. Johnson: That's what I understood.

Mr. Stokes: Tyson Creek is out by Falkland. Is it not?

Mr. Ken Malpass: That's Tyson Farms.

Mr. Stokes: I mean Tyson Farms. That's out by Falkland, is it not?

Mr. Malpass: No that's on Dickinson Avenue.

Mr. Stokes: Okay, what about Paramore Farms?

Mr. Malpass: On the corner of Fire Tower and Evans Street.

Mr. Johnson: That's all within, I mean we're up front. These are all within the city and these were all approved by the Planning Board. The hard thing is trying to fall within the specific standards which we do, we meet all the specific standards now. Before it was making so the subdivisions were interact with one another. In this case we've done that. We have points of connection with the adjacent subdivisions to improve traffic flow. In this situation we don't have one access point and exit point in the subdivision so we've done. Now we're hearing that cul-de-sacs are an issue which is an unusual thing given the past practices. I'm sorry there was another question.

Mr. Moye: I want to ask a question Mr. Johnson. It may be that the development that we're talking about right now is a larger tract of land than some of these others and the copies of the map that I've got are kind of hard to see that well.

Mr. Johnson: We do have some larger ones if it would help.

Mr. Moye: No, that's alright. It seems to me like the number of cul-de-sacs on the parcel in question, the land in question, is about 9 all together in this plat. Seems to me like what we're passing around is examples of maybe development with 4, 5 or 6 I don't know that I've seen as many as 9.

Mr. Johnson: If you look up behind, you can look on the screen there in terms of Charleston Village, you're talking something similar. I think, Ken correct me if I'm wrong, I think some of these are actually smaller than what we're proposing plus this is a cluster development as was mentioned earlier which...

Mr. Moye: And the others are not cluster development?

Mr. Johnson: I don't know that all of those are of these examples. Ken.

Mr. Malpass: Two of them are.

Mr. Johnson: Two are cluster and the others were not. There's some differences but if you look, again, on the development around this area I mean you look up there at Charleston Village and you can count those. I counted about 10 or 11 within that area that immediately adjacent in the same area that have been approved. We're just asking for consistency I guess is what...

Mr. Gordon: I was looking or doing something and wasn't listening to you when you offered up something. What did you offer up?

Mr. Johnson: I offered up, we got larger maps of this.

Mr. Gordon: No, it was something else.

Mr. Johnson: Speed bumps.

Chairman Yates: Any other questions for Mr. Johnson?

Mr. Ramey: Did you say that you were building speed bumps into the road?

Mr. Johnson: No, I said we would offer to do that. There was a question about that earlier on and I'm saying we're offering to do that if the Board would so recommend and the city. Going through the process. I know Mr. Holec said a process to go through well we're willing to go through that process and do that if ... but just the design. Yes, I'll be honest and up front with you it is cheaper to build a straight road than it is curved road that's obvious. Some of the natures of this tract of land and what we were given to work with somewhat dictated that as well.

Chairman Yates: Another questions for Mr. Johnson? Thank you Tom. Anybody else wishing to speak in favor please come forward and state your name for the record and you have 3 minutes. Anybody wishing to speak in opposition? Please come forward and state your name for the record and you have 5 minutes.

Mr. Alan Huggins: Hi, my name is Alan Huggins. I live on Thomas Langston Road. I'm not against this but there are three questions I'd like to ask. Number one, what are the lot requirements for zoning at this plat and number two, the water retention that is going in there. I understand that's a large area. Is that dry or wet? Number three, I know Thomas Langston Road is a minor thoroughfare but I've lived there for 14 years and it's big time now. You're about to put, counting all the homes on Davenport Farm and that then you're talking a high density of traffic of people. I'd like to know the answer to those questions. Thank you for letting me talk.

Chairman Yates: Thank you Mr. Huggins. Andy.

Mr. Thomas: Well the zoning was determined awhile back when this property was rezoned. They had the R9S which is 9,000 square foot lots. The R96 and the R9S is 6,000 square foot lots. The R6A allows duplexes. This is being presented as a cluster subdivision which allows them to reduce the lot widths in return for taking that area and putting it into common space which in this submission they've put most of it in those drainage retention ponds. I'll have to refer to Ken to tell me whether they're going to be wet or dry as large as they are. I presume they're going to be wet.

Mr. Malpass: Well it's the same answer as the previous one. Until we get to that point I don't really know. Thomas Langston Road we are required by the DOT to put a left-hand turn lane in there. As far as the design when we got out up front I've never had this come up as long as I've been doing this about having too many cul-de-sacs in the subdivision. I'll guarantee you I'll start thinking about from now on. When we take a piece of property, we do it more from the efficiency stand point. We have some subdivisions that have no cul-de-sacs in it and some of them have 3 or 4. There is no up front. I've never anybody come to me and say I want cul-de-sacs cause that's more desirable. I want this. It's more of a economics of lay it out with the whole piece of land to what works with the shape of the piece of property. There's no intent up front that I've ever had anybody say I want the cul-de-sacs or don't want cul-de-sacs. It's just a natural process that we probably go through. You take a piece of property this size you probably go through 10 or 15 different sketches trying to do the \_\_\_\_\_ scale with the length of the road to the number of lots is the way you approach it.

Chairman Yates. Thank you Ken.

Mr. Lehman: In reference to the 3,000 foot long road in the front.

Mr. Malpass: Right.

Mr. Lehman: What would it require you to do, design wise, with the cul-de-sacs and the number of lots available in the plot to change that to some sort of a curly curve?

Mr. Malpass: Well in that particular, I mean, this is just looking at it just off the cuff. What you would probably have to get rid of that would be more cul-de-sacs cause you would have to back. I mean, you're not just going to go through there and take a road and just wind it. When you go on the side of the curve it misses up, especially when you're dealing with lots that are 48 to 52 foot wide. Those are narrow lots so you're going to end up losing a bunch of lots when you start taking roads and you go like that and then you're having to get the lot width to fit a house on. Most of these lots of that width you only got 6 foot on each side. This is going to be more typical I think, just like, I can't think of the place that Bill Clark built on Evans Street but houses are getting closer. People are living on smaller lots. When you start doing a lot \_\_\_\_\_ if you're out there with a house that's on, just take a Bedford type subdivision, it doesn't affect that the house won't fit on the lot. When you start doing them this size you're going to lose a lot of lots. You can take \_\_\_\_\_ in those types of developments and won't even really miss your net, gain the lost in your lots is what I'm getting at.

Chairman Yates: Thank you Ken.

Mr. Ramey: Let me ask you a question. You say you'd do the curve to slow the thing down, you're losing lots. What's one lot or two lots worth in comparison to a young kid getting killed on a speed way? There's no value at all.

Mr. Malpass: I didn't say that sir.

Mr. Ramey: I say it's no value at all. The land's not worth anything. What I'm trying to say is if you leave a straight line and these young kids will speed and one gets killed you'd say "gosh I wish I'd put a curve in that would have slowed it down".

Mr. Malpass: I think you can say the same thing on Davenport Farm Road or Frog Level Road that anybody that lives on one of these 55 miles per hour. How do you think every situation and say "I'm going to prevent anything from happening". I'm not discounting what you're saying but do all those people feel unsafe that are on these lots right behind this because they live on Davenport Farm Road or Frog Level Road? I grew up on a 55 mph road that was in the middle of a curve. I didn't go play in the road. I'm not discounting what you're saying but you see on the streets are 25 and 35 mph trying to say "do I feel responsible for having a straight road". They can be 25 on a road that's only 500 foot long. It doesn't take 3,000 feet to get up to 35 mph. It's not that we look at it in a disregardance for kids playing in the street.

Chairman Yates: Thank you Ken. Anybody else wishing to speak in opposition? Anybody wishing to speak in favor or rebuttal? You have 3 minutes, please state your name for the record.

Mr. Johnson: Again, Tom Johnson. I'm just saying that I want to reiterate what we said earlier. We're trying to make this fit in with what has consistently been occurring and approved. It fits the technical regulations. If you're look around this subdivision the same type of road system has been put in there. There's a concern about the long stretch of road, we're willing to concede and go along with any recommendation to add speed bumps that's not a problem.

Chairman Yates: Thank you Tom. Anybody wishing to speak in opposition? You have 3 minutes for rebuttal.

Mr. Thomas: Mr. Chairman, I want to address some of things you've heard tonight. There is no precedence set. Each of these preliminary plats are considered on their own merits and circumstances and each one is unique unto itself so there is no precedence set. The plats that are presented I don't think represent this development at all and it goes to show that we're not anti-cul-de-sac because some of these have cul-de-sacs in them. I think if Ken will remember on Paramore Farms I suggested to him that he lose some of those cul-de-sacs and connect the streets but he didn't and we didn't object. I'm glad they keep mentioning Charleston Village and Savannah Place because for those of you that were on the Board at the time, if you remember, the Planning staff objected to those as well. Those were approved over staff objections. As far as their street system, the Planning staff would like to see the duplex lots and the single family lots connected. If they're building a similar

product in a similar price range there should be no trouble connecting those two products together. They don't have to be mutually exclusive. As far as offering up speed bumps I just take that as admission on the developer's part that they recognize they're presenting you a street that's going to present you a problem tonight and they're already telling you before they turn over the first shovel full of dirt they're willing to offer up speed bumps. He was drawing comparisons to this road and Davenport Farm Road. If they offer up speed bumps that presents a safety issue. That should tell you it's a safety issue. I will admit that he did a good job with connection to the adjoining subdivisions. We don't have a problem with the interconnectivity we have a problem with the intra connectivity. As I mentioned before on the Charleston Village and Savannah Place, as well as intergrating with other subdivisions it should have a well coordinated street pattern within the subdivision itself. It should connect with itself. This design does not connect with itself.

Chairman Yates: I'll now close the public hearing.

Mr. Ramey: Mr. Chairman my main concern is this, getting fire protection, sanitation, school busing into these areas. As long as no automobiles, surely they can get in, none parked, they can get in and turn around but you can't get a fire truck in there and turn around if there's an automobile there. You can't get a school bus in there with the inexperienced drivers we have. I make a motion we deny this.

Mr. Baker: I second.

Chairman Yates: We have a motion by Mr. Ramey to deny.

Mr. Baker: May I explain my reason. I'm President of a Homeowners Association where I live in Sterling Trace and we have one road that goes in. 95 percent of our meetings is traffic, speed. We've even had the Sheriff's Department go set up to give tickets out on our road because we cannot stop them from going 40, 50 mph, going from Thomas Langston to the end of it. I'd like to tell whoever lives up and down that road you're going to have a speed problem.

Chairman Yates: We have a motion by Mr. Ramey to deny the request and a second by Mr. Baker. Yes sir Mr. Holec.

Mr. Holec: When you do your decision to deny, that's your decision, you have to specific the reasons. I just wanted to make sure for the record that we do have. There was a lot of information presented from Mr. Baker and Mr. Ramey's comments and if I could get this. If you have specific reasons that you want to confirm we can do that. Basically, what you were talking about again is that the design, that it does not promote the public convenience of safety due to the length, the straight length of that one street and the number of cul-de-sacs. Is that acceptable for the motion?

Mr. Ramey: That's acceptable.

Chairman Yates: All in favor of the motion. I'm sorry, right now the public hearing is closed. Any more discussion? Ready for a vote? All in favor? All opposed? Request is denied.

#### REMINDER

Chairman Yates reminded the members of the meeting for November 29<sup>th</sup> at 5:30 PM in the City Council Chambers.

There being no further business, motion was made by Mr. Ramey, seconded by Mr. Moye to adjourn the meeting at 8 PM.

Respectfully submitted,

Merrill Flood  
Secretary