



**EDENTON PLANNING & COMMUNITY DEVELOPMENT**  
**P.O. Box 300, Edenton, NC 27932**  
**400 South Broad Street, Edenton, NC 27932**  
**PHONE 252-482-2155 FAX 252-482-7377**

Edenton Planning Board  
November 7, 2022  
6:00 PM  
Town Council Chambers

Chairman Bob Mr. Partin called meeting to order. He thanked all for coming. Chairman Mr. Partin asked Assistant Town Manager Mr. Whealton to call the roll.

Members Chairman Mr. Partin, Mr. Toppin, Mr. Naylor, Ms. Ms. Adams, Mr. Willis, Ms. Overton were present.

Mr. Partin asked for meeting minutes to be approved and the motion passed. A correction was made on the date from January 2021 to June 2022. Willis motion, Ms. Adams second. Motion passed 6-0.

Mr. Partin asked for the Agenda to be approved and the motion passed. Willis motion, Ms. Adams second. Motion passed 6-0.

Mr. Partin calls for **Case No. MSUP 22-02**: A Major Special Use Permit application from the Estate of Peggy Dees for the subdivision of property into 4 residential lots located at 1511 Paradise Road. (PIN 7806-00-91-0436) and **Case No. RZ 22-04** A rezoning application from the Estate of Peggy Dees requesting to rezone property located at 1511 Paradise Road, from A1, to R-20 residential. The property behind the residences is requesting to be rezoned to RA Residential Agriculture. (PIN 7806-00-91-0436)

Mr. Whealton asked if these can be run simultaneously. One is a rezoning and the other is a special use permit for a major subdivision. The entire property that was seen in the packet is not subdivided and consists of two existing homes on it. The estate wants to subdivide these to close out the estate and leave everything at the rear of it zoned RA, residential agriculture and to remain farm land and subdivide the 1<sup>st</sup> three lots on Paradise Road. If you look at the existing land use it is surprising that many of those have not been rezoned before because there is a 5-acre minimum for anything that is zoned RA. In the future this will be looked at but, as on now they match the UDO. This meets the existing land use classification, LU4. The application is requesting a subdivision of the property for the creation of 3 residential lots, they are also requesting a rezoning of these to R20. The Town of Edenton UDO allows for this for residential use in the RA R20. The applicant has to specify the exact use of the land. This will remain residential in the front and agriculture in the back. The town has provided an initial public meeting in review of the application. The rezoning will not endanger the public health of safety, will not injure the value adjoining properties, be in harmony with the area in which this is located, and will be in conformity with the land use plan. This will comply with all regulation standards. A subdivision is allowed within those zoning classifications. There will be no new traffic improvement, basically new lines will be drawn the create individual parcels.

Mr. Partin asked the applicant if they would like to say anything.

Mr. Eason said how a family member had passed away a couple months ago, and the family is scattered and want to sell the property. They thought that the best thing to do would be separate the land. Mr. Partin asked if the board had any questions.

No questions were asked.

Mr. Partin opened the floor to public comments.

Chris Ford from Chowan Animal Hospital asked a question.

Chris said that he had the notes but did not see what exactly was happening. He said that there are two homes with a lot in between but there is a strip behind the animal hospital. He asked if the strip behind the hospital would remain agriculture.

Mr. Eason confirmed that land would stay farm land.

Mr. Partin asked Mr. Ford if he had a right away from the animal hospital that gets to the property.

Mr. Ford confirms that they own the property up to the farm. There is a ditch in between. Mr. Ford asked if the property behind animal hospital will not be rezoned.

Mr. Eason confirms.

Mr. Whealton confirms that it will remain RA. It will stay that way just coming off the back-property line, back down. Everything towards the roads will be R20, and behind will be agriculture.

The ditch will be the deciding line.

Mr. Partin asked if the audience has anymore questions.

No further questions were asked.

Ms. Ms. Adams made a motion to move forward with application. Mr. Toppin seconds. Motion passes. (6-0)

Mr. Toppin motions for Case **No. RZ 22-04**. Ms. Adams seconds. Passes (6-0)

Mr. Partin calls for Case **No. MSUP 22-03**: A major special use permit application from Down East Preservation Construction and Design, LLC for subdivision of property into 32 residential lots and a "cottage court" located at 515 E Church Street. (PIN 7804-08-99-5809) and Case **No. CURZ 22-01**: A conditional use rezoning application from Down East Preservation Construction and Design, LLC requesting to rezone property located at 515 E. Church Street, from A1, residential to CU R-5, Residential for a residential subdivision. (PIN 7804-08-99-5809)

A1 was an old county code for residential agriculture. If you pull up the overlay for GIS it is in the RA for intown. They are trying to rezone into R5 for residential subdivision. For the Major Special Use Permit (MSUP) the existing land use classification is residential and agriculture. The future land use classification is low density residential. Listed was some of the goals for the land use plan 4, 5, 6 and 7. Also listed was the policies on the land use plans 2, 3, 21, and 23 that kind of pertain to the subdivision. This has gone through meeting and still has a lot that needs to be worked out with water sewer and different things like that. Basically, the number one priority is to make sure for site approval and that the condition use rezone goes through before anything else gets talked about.

Mr. Tyler presents his application. He passes out a presentation to the board. Mr. Tyler states that this project is something that the company is very excited about. The company wants to meet the housing needs that Edenton needs. Specifically housing for younger professionals that are coming to town. Mr. Tyler introduced the team that will be working on this project. It will be himself and Burton Swain, Mr. Higginbotham, Ms. Hamby.

Mr. Tyler states that he wanted to talk about the why. He showed a slide that he stated showed the answer to that question. He said that when he saw this plot of land he simply realized that we can renovate the old but there is not enough of that product to solve some of the housing problems. To solve this problem, they thought to kind of look backwards. They wanted to recreate a space that had the feel of the architecture, the forced interaction, the green space of the mill village. They want it that when you go in this new neighborhood it feels like an old one.

A slide was shown of were the neighborhood will be compared to the rest of town.

They have teamed up with Moser Design Group out of Beaufort, SC. They are one of the leaders in cottage style design. They have perfected the design for a turn of the 20<sup>th</sup> century feel. The slide shows a home that was restored about 1.5 years ago on West Church St. It fits the neighborhood so well that people who have lived in Edenton for many years asking who grew up there. It now is an energy efficient home built with modern materials that looks like it was built in 1900. With the Moser Design Group, they plan to tightly control what is being built in the neighborhood. All the lots will be sold and a home designed by MDG. All the homes will have the same feel.

Mr. Higginbotham takes over for his part of the presentation. He tells the board that he will be giving the details and that they can follow along with their handouts. He shows the area where the project will take place. There will only be one paved road. It will have on street parking with landscaping in-between. There will be a pull off for the post man with a community mail box. Also, a place for children to gather to wait for the school bus. Mr. Higginbotham pointed out a part saying what you see in this tan color that those will be alleyways. The homes will be accessible that way, it will be a place for the owner to park. This is designed from back 100 years ago, the back of the home is where things would be delivered and horses would stay. They will have smaller lots with homes closer together. All this is designed so that neighbors can get out and get to know each other. There will be a side walk and that will face a green. Owners will access the property from the back and in front there will be overflow parking for visitors. There is an existing farm house that they are working on now and existing silos that will stay. The farm house will be turned into a home. Mr. Higginbotham pointed out where the cottage core will sit. He also points out where smaller homes (800-1,000 Sq. Ft) will be, 2-bedroom 1-bath. Great for a small family, or a vacation home. These will be affordable. This would be held as a condominium association. All the exterior will get maintained simultaneously. All the work on the outside, like mowing grass will get done at the same time. There will be about 18-20 feet between each building where a car can be parked. Mr. Higginbotham asked if there were any questions. No questions were asked.

Ms. Hamby presented next and spoke about the utilities. Sewer will be down Cox Ave and across the front on Church St. The Sewer will be deep. They have already flow tested the water line. They have water that wraps the entire site. There are multiple connections that can be made to help keep the pressure. With the pressure test that have been done with results have been excellent. The utilities are there. Storm water is always a big concern and the site will be designed as low impact as possible. Soil scientist are already on site that has indicated that soil is very permeable. They are going to look for shallow swells between lots to infiltrate the run off from the individual homes. There will be pockets along the street that will be used for fire retention. Ms. Hamby points out on the slide where they will allow for some more storm water. Then the water will go into the wet lands that cross over church street. The goal is to treat the storm water without looking like they have a bog storm water pond.

Mr. Partin asked if there will be swells on the main street.

Ms. Hamby answers no. The main street will be curb and gutter with a sidewalk and the gutter system is what they will use to route the run off.

Mr. Partin asked if they will have catch basins and pipes running to the designated areas.

Ms. Hamby answered that there will probably be some for overflow if they are to get a real big storm. But, what they have now is what the state requires.

Mr. Partin asked if they were relying on the water to flow into the wetland.

Ms. Hamby says that most of it will infiltrate not necessary in swells but in little pocket areas.

Mr. Willis asked if the soil beneath is all sand.

Ms. Hamby answered that the soil scientist said to expect 15 inches per hour of infiltration. Those are the rates that you see at the beach.

Mr. Tyler said that they started off before with going the route of soil scientist with a sizable pond. But, that would mess with the direction of how they want to go with that thing. They were advised to get someone out there to test the soil and they found by doing little swell between the lots where the trees are they have more than enough to handle the water without the pond.

Mr. Willis said as long as they think it will all drain out, because that is a long distance for a swell.

Ms. Hamby replied that the little pockets will probably have overflow drains so that once it ponds to a certain depth that any excess can drain into the pipe and go out to Church St.

Mr. Toppin said that there are no driveways in the front of housing so where will the pipes be.

Ms. Hamby said but there won't be open ditched either. All the piping will be under the ground.

Mr. Partin said that he assumes there will be fire hydrants.

Ms. Hamby said that they originally laid it out, they have done a little bit more of a technical layout but that wasn't what they brought for this meeting. They have had a technical review committee meeting. They have already met with public utilities, fire and electric. They met with them 2-3 months prior to this meeting.

Ms. Adams asked if there would be telephone poles.

Ms. Hamby answered, no there will be no telephone poles.

Mr. Higginbotham said things that they are not seeing on this is street lighting, and specific landscape plans. But, there will be light poles that match what the town of Edenton requires, being a fixture that will match the historical look.

Mr. Toppin asks how would fire or trash truck get through.

Mr. Higginbotham said that all the roads will meet the 26-foot radius requirement.

Mr. Partin said that will eat up a lot of the turn and will cut down that barn and when you do the cul-de-sac down at the end. Unless both the fire and trash truck are going to need to back up.

Ms. Hamby said that this will not be fire access rate safe.

Mr. Partin asked where the fire truck will go if a house catches on fire.

Ms. Hamby answered that the fire standards will be attended to be met from the road. They do have a certain distance that they have to be able to get to each house.

Mr. Higginbotham said that in the event of a fire, the green space is drivable. No fences, no post will be there.

Mr. Partin said the curb and gutter that is planned will not be regular standard road curb and gutter its going to be more or less a flat one that has a slight swell on it.

Mr. Higginbotham said they did a swell where you will need to access the green space. That can easily be made to drive over.

Mr. Partin asked if the trash truck will go over the same path or will people have to bring it down.

Mr. Higginbotham said that there should be no reason that they cannot service those houses with a trash pickup.

Mr. Toppin asked if the fire department checked with them.

Mr. Whealton said that they have. That after this site plan they will have to finalize everything to make sure. Once we see engineer drawings and all that. This is just site plan approval. They will still have to go over technical review. This is just to see is this is even possible before they go forward and spend money on all that stuff.

Mr. Higginbotham said those are good points. If it is a hassle to live there, people will not want to live there. They need to get this to work. These are the kind of details that they will need to figure out.

Mr. Higginbotham said that alleyways are not a new concept but all the alleys that are in Edenton are not workable alleys.

Mr. Tyler said that East Beach in the Norfolk area is designed like this.

Ms. Hamby said that tonight what they are looking for is an approval of the concept, and the conditional rezoning to allow the R5 individual lots. After this they will start the actual design with the grating of the roads and all the calculations required for the storm water treatment. Water and sewer, they do have worked out to some degree.

Mr. Tyler said that they are shooting around the \$200,000 price range and they are trying to do fill the housing shortage without apartments.

Mr. Willis asked if they will have their own landscape people there.

Mr. Tyler said that they would. They hope is that green space is filled with people who are interacting with each other. A place that kids can just go outside.

Mr. Partin asked if the green space is what they are going to maintain. With the other lots being homeowner maintained.

Mr. Higginbotham the green in front of the houses, the open spaces where they tree is the cottage core they would anticipate a HOA to hire a crew to come in mow all that and take care of the landscape so it would all look uniform.

Mr. Partin asked what is in mind for the future.

Mr. Higginbotham said that depends on how things go. If the cottage cores are a hit, they will do more of them. If they decide that they may need more of a particular house, they will do that. When and if that happens, they will be back to talk about those spaces.

Mr. Toppin asked Mr. Higginbotham to help him understand. They are asked to approve this plan but they don't know what the future development will look like.

Mr. Higginbotham said that they don't know what it is either.

Mr. Whealton said that the reason why he was going for a condition of use rezoning for R5 is you can add a condition in that they have to bring a site plan back. This can be a condition you recommend. This is unique because the single family and cottage core housing the best route to go in conditional use. A lot of municipalities are using it now. If the board recommends anything for future development can require a site plan to come back here.

Mr. Partin said so the lots on the bottom and the houses are fairly large houses which looks like it is covering more than 75% of the lot. Isn't that a town ordinance not to be covering more than 75% of the lot? He asked what size the lots were.

Mr. Higginbotham answered that they were 5,000 sq. ft.

Mr. Willis asked if there was a minimum of 10,000 sq. ft.

Mr. Whealton said that its 60%. They are getting the R5 which will be a 50x100.

Ms. Hamby said that the lots were all about 50x100. Some vary because of the lot shape.

Mr. Willis asked if the two streets that are labeled primary streets are they public streets.

Mr. Higginbotham said that yes, they will be the only ones that they are asked to town to take. The HOA will maintain that alleys. They are intending for those to be gravel. If anything happens to them to will be the HOA responsibility to fill it.

Mr. Higginbotham said that they intend the Moser Group part of their arrangement with them that not only design the homes that they want but also place it on the lot. For example, they will have house A, B, C or D. You already have house D so you don't want the same one next to it. They are not looking just to sell lots but to build a community.

Mr. Tyler said that another thing that is really important to them is the build out of the neighborhood. They obviously don't want it to fail, lot of subdivisions that do fail you will have a house that would be down there on Church Street, one that is there near Freemason, one that would be over there by the wetlands. Giving you this scattered shot thing that doesn't feel like a community. The plan is to start with the core in the cottage core and build back. They goal is to build about 10 of these homes a year. That way the year one group feels like they are part of a community. There was talk about the Moser group, they sell most of their plans through Southern Living Magazine. They have become on of the national recognized companies that just do it right. It has been fun working with them because of their commitment to doing it this way, and the innovative nature of what they have designed here. They want to come down here and be a part of it.

Ms. Adams said that she loves the concept but, she had one question about the parking. If they are starting at the court yard will they have to walk from the parking lot where the single-family homes are to their house or will there be another parking lot.

Mr. Higginbotham said that each house will have a parking spot at the house.

Ms. Adams said what about for visitors.

Mr. Higginbotham said that there has been some discussion about moving the parking lot over so its more accessible to those who live in the cottage core area.

Ms. Adams said that is selling this may be the first thing that people think about. Maybe a parent is coming to visit or they are throwing a birthday party. Just being able to have those people come in and fill up quicker.

Mr. Higginbotham said they have had some internal debate if they need to slide that down or not.

Mr. Partin asked if they have more than one parking spot for the larger house, but the cottage core would be like one right.

Mr. Higginbotham answered that yes, they will have 2 for homes and 1 for the cottage core. They will probably be one car families. Maybe a single mom and a child or a young couple that is just starting out. Also, being close to town things will be walkable, less needed for vehicles.

Mr. Tyler said that the whole design effort is they wanted to pull the car out of the equation and make a community. The other reason the road is designed the way it is. They didn't want a single person to think that this is a great way to cut through to get to somewhere else. There is no reason that you would drive in there other than to get to your home. Again, they want a place that kids will get out and play.

Mr. Partin said that when you get there and visit in your truck you may think that you can't park your truck here. The lady with the navigator who needs to carry her kids around may also think she cannot park there.

Mr. Naylor said with the additional traffic that will be on Freemason in the morning and the afternoons. That will affect when you get out on Granville. That is just a stop sign and no light.

Mr. Higginbotham said that he thinks with a couple different points of entry and access that will not be much of a problem.

Mr. Naylor said that most of the people who will living there will be working at the school or out of town. Most of them will be coming in on Freemason. Plus, you have all the traffic from the other developments.

Mr. Higginbotham said that as they get into it they will be applying for permits to the state highway to gain access. If they see the need for a traffic study they will acquire one. Right now, they think all though it looks like a lot, its only 30 homes. Based on the current usage of the roads that they can handle that just fine.

Mr. Naylor said that up there at the mail box that will possible be a bus drop off for kids and things like that.

Mr. Higginbotham said that in another community he has been a part of they did like a little pull off. So, if you want to get your mail either coming or going you pull off the road and get your mail. The bus will need to stop somewhere and that is a safe place for the kids to get gather, off the road a little bit. Not looking to build a structure for the kids to be in but, really just a gathering place for the community.

Mr. Toppin asked about a community center, like something with a pool.

Mr. Tyler said that probable not a pool, if the community develops their will be an HOA and they will pay that fee. At some point if they all feel that some type of structure is needed or desired that could be something the HOA could do. As of right now they don't have anything like that.

Mr. Partin asked for any public comments.

Ms. Anne said that the reason she came was she knows the Jackson grandchildren. One lives near Wilmington and one lives in Maryland. She has seen the daughter recently and she told her about this. She wants to come to the grand opening. She came to see what they were doing so that she can send it to her.

Mr. Tyler said they are trying to think of street names. Since they are all about maintaining the history of the area. He probably wants to talk to Anne more to figure out names and stuff like that, they can tie back into it.

Mr. Toppin said that the only thing that he is really worries about is how the fire truck will get to some of the houses.

Mr. Higginbotham said that is great point, they will talk to the fire chief about it and make whatever accommodations they need to make to make sure he can do his job in the event a fire would happen. That could be additional fire hydrants or whatever. They will make sure and the fire chief will make sure they are doing it right and they can fight a fire.

Mr. Whealton said that usually rely on a police chief and fire chief. Usually what ever the fire chief said because he has a bigger vehicle that has to go. They do ask for comment from Cord Palmer who is emergency management. Fire and Police chiefs are heavily involved. Public works and all who do that. They just had a TRC meeting today about the new high school and it will be the same process once that is all finalized. There is a lot to do for a CO to be signed off on.

Ms. Adams asked if they will continue to work with the Moser Group.

Mr. Tyler answers yes. They will work with them through the whole project.

Mr. Partin asked if there would be any discussion between the board.

Mr. Whealton said that this is just a major use special permit that they are voting on. He just had a few things on the conditional use and they can vote on it. He will have a few things to say about the condition use rezoning after that.

Mr. Partin said that the special use permit is for the conceptual design, correct?

Mr. Whealton confirmed.

Mr. Partin said that in the writings would they have any suggestions.

Mr. Whealton said the suggestion would come with the conditional use rezoning. If there are suggestions he can take it in front of the planning board for recommendation for the special use permit.

Mr. Partin asked if they will see the final.

Mr. Whealton said that if it is a major change that yes. Something like they decide not have a cottage core. For the functionality that will all be taken care of. Like the 26-foot radius and all that kind of stuff.

Mr. Toppin asked if the tracks will be removed.

Mr. Tyler said that they are already gone. He didn't want to throw any variables in but from a parking standpoint the green line at the bottom of the slide is the abandoned railroad area. They can't not sell that to anyone because you cannot get a clear title to it but it still is owned. As far as if a fire truck or someone needed to get there and needed extra space. If someone wanted to park a car there that could be done. They do own that. They thing is if he wanted to sell that little sliver, the new owner could not get fire insurance on it.

Mr. Toppin asked how long will they need a buffer between them and taxes.

Mr. Tyler said that there is already a well grown tree line that runs right down there in the railroad track. It is actually nice, thick and the Jackson St. people will appreciate it when construction is going on.

Ms. Adams said that once all has been approved, when do you plan on starting.

Mr. Tyler said that the goal is to be building a house around May of 2023.

Ms. Adams asked what would be the end time.

Mr. Tyler said he hopes that it could be done in three years.

Ms. Adams asked if they said that the homes will be 18 feet from each other.

Mr. Higginbotham said that in the cottage core they will be 18 to 20 feet from each other.

Mr. Partin asked for a motion.

Mr. Willis said the one condition that needs to be put on is on future development. They would have to come back for that. We don't want it to be apartment buildings.

Mr. Toppin asked Mr. Whealton if there was anything else that needs to be put in there.

Mr. Whealton said that they will need to go through a TRC meeting. He has looked at some average ones that people have done. The setbacks are the biggest thing. That is why we had to go to the conditional use, knowing that it is between 18-20 feet. Also, any recommendations for town council.

Mr. Toppin asked if Mr. Whealton was having the fire department and all them check it and approve it.

Mr. Whealton said that they will still have to meet UDO standards and everything a lot of this outside of some of these conditions.

Vote for Case No. **MSUP 22-03**

Ms. Adams made a motion. Naylor Seconds. Motion passes 6-0.

Vote for Case NO. **CURZ 22-01**.

Mr. Whealton said something going from R20 to R5. This is where to include the future development that Mr. Toppin suggested. This still has to meet the 5 criteria. (Mr. Whealton read these 5.) As long as this meets the 5 criteria to be rezoned it can pass.

Mr. Willis asked for those lots on top the will be less the 5500. Will that make difference.

Mr. Whealton asked if it was less or more than 50 x100.

Ms. Hamby said the individual lots are all 5000 sq. ft. It may not be exactly 50x100.

Mr. Whealton said that they meet the open space by 2%.

Mr. Toppin made the motion. Naylor second. Motion passes 6-0

Meeting adjourned.