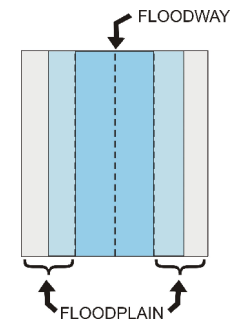


DOCKET #: W3081
(continued from 11/11/10)

PROPOSED ZONING:
Site Plan Amendment

EXISTING ZONING:
RM5-S

PETITIONER:
Allerton Place Association Inc.
and CB Development Co. Inc.
for property owned by Same



SCALE: 1" represents 300'

STAFF: Roberts

GMA: 3

ACRES: 1.6

NEAREST BLDG: 7' south

MAP(S): 612866



**CITY-COUNTY PLANNING BOARD DRAFT
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-3081		
Staff	Gary Roberts, Jr. AICP		
Petitioner(s)	Allerton Place Association, Inc and CB Development Co. Inc.		
Owner(s)	Same		
Subject Property	PIN # s 6816-38-2143 and 6745		
Address	No address has been assigned to the subject properties which have no buildings located on them.		
Type of Request	Site Plan Amendment regarding traffic circulation for a RM5-S zoned site.		
Proposal	<p>The petitioner is requesting a Site Plan Amendment to the existing RM5-S zoned property to convert a portion of Allerton Lake Drive from a one way to a two way private street and to terminate the connection between Allerton Lake Drive and Lakeshore Drive. The permitted use established for this site in 1981 (W-845) and 1992 (W-1794) is:</p> <ul style="list-style-type: none"> • Planned Residential Development 		
Neighborhood Contact/Meeting	<p>According to an email received from the site plan preparer on 10-27-10 the petitioner has been in communication for quite some time through various emails, letters to homeowners, and association meetings. A meeting with representatives from both Robinwood and Allerton was held on Monday, November 29th in an effort to resolve the outstanding issues. Both parties will report the outcome of that meeting and any further discussions between the neighborhoods at the December 9th meeting.</p>		
GENERAL SITE INFORMATION			
Location	Both sides of Allerton Lake Drive between Gatehouse Road and Lakeshore Drive		
Jurisdiction	City of Winston-Salem		
Ward(s)	Northwest		
Site Acreage	± 1.6 acres		
Current Land Use	This site consists of a portion of Allerton Lake Drive (private) and its adjacent landscaping.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RM5-S	Single family homes
	East	RM5-S	Single family homes
	South	RS9	Single family homes
	Southwest	IP	Mount Tabor High School
	West	RM5-S	Undeveloped property

Physical Characteristics	Brenner Lake Branch runs near the eastern edge of the site.			
Stormwater/ Drainage	No known issues.			
Watershed and Overlay Districts	The site is not within a water supply watershed.			
Analysis of General Site Information	The site has no apparent constraints and appears to be suitable for the proposed improvements.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Allerton Lake Drive	Local street (private)	441'	NA	NA
Gatehouse Road	Local street	127'	NA	NA
Lakeshore Drive	Local street (private)	119'	NA	NA
Proposed Access Point(s)	See comments below in the Analysis section.			
Trip Generation - Existing/Proposed	The proposed street circulation changes will not result in a change in overall trip generation which is based upon the number of homes in the area.			
Sidewalks	There are no sidewalks located in the general area.			
Transit	Route 21 along Petree Road directly southwest of the site.			
Connectivity	See comments below in the Analysis section.			
Analysis of Site Access and Transportation Information	<p>The proposed Site Plan Amendment relates to the circulation pattern of two private streets within the Robinwood and Allerton Place neighborhoods.</p> <p>Currently, the subject portion of Allerton Lake Drive serves as the only entrance into the Allerton Place neighborhood which consists of 38 houses. It is a one way entrance. Traffic exiting Allerton Place goes through Lakeshore Drive which is within the adjacent Robinwood neighborhood. Both streets connect into Gatehouse Road which is a short public street that connects to Petree Road.</p> <p>According to a representative from the Robinwood neighborhood, approximately six years ago three speed bumps were installed on Lakeshore Drive which the Allerton Place residents must drive over to leave their neighborhood. By widening the subject portion of Allerton Lake Drive and converting it to a two way street, the Allerton Place residents (the petitioners) will be able to exit their neighborhood without circulating through Robinwood and going over said speed bumps. The request also proposes to cut off the connection between Lakeshore Drive and Allerton Lake Drive with the installation of bollards.</p>			

	<p>Planning staff is supportive of the request to convert Allerton Lake Drive from a one way street to a two way street. However, Planning and Fire Department staff recommend keeping the current street connection between Lakeshore Drive and Allerton Lake Drive. Staffs' recommendation would be to reconfigure the intersection of Lakeshore Drive and Allerton Lake Drive to a "T" intersection to facilitate two way movements. It is also recommended that the gate proposed on Allerton Lake Drive be moved further east beyond said intersection so as not to impede circulation.</p> <p>It should also be noted that the possibility of connecting the adjacent public stub street of Millerwood Drive was studied by City Engineering staff and determined to be unfeasible due to topography.</p>
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	Growth Management Area 3 – Suburban Neighborhoods
Relevant Legacy Recommendations	<ul style="list-style-type: none"> New streets in residential areas must be designed to accommodate all users. Greater connectivity between residential streets would distribute the total traffic, ease congestion and make movement easier for all modes of transportation.
Relevant Area Plan(s)	<p><i>Polo-Reynolda Area Plan, 1985</i></p> <p>The site is also within the <i>West Suburban Area Plan</i> which is now in process. No recommendations are available at this time.</p>
Area Plan Recommendations	<ul style="list-style-type: none"> The <i>Polo-Reynolda Area Plan</i> recommends the subject property for low-density residential development (0-5 units per acre).
Addressing	There are no address numbering or street naming concerns.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?
	Yes, the Robinwood Association installed three speed bumps along Lakeshore Drive approximately 6 years ago.
	(R)(4) - Is the requested action in conformance with Legacy?
	See comments below.
Analysis of Conformity to Plans and Planning Issues	<p>The current situation, as discussed in the Analysis of Site Access and Transportation Information section above, is an unfortunate by-product of private streets. <i>Legacy</i> recommends greater connectivity between residential streets. Please see Appendix A from <i>The Legacy Toolkit</i> regarding the benefits of street connectivity.</p> <p>As noted above, staff recommends approval of the request to two-way Allerton Place Drive yet also recommends keeping the connection between Allerton Place Drive and Lakeshore Drive.</p>

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-845	R4 & R3 to R3-S (PRD)	Approved 5-4-81	Includes portion of current site	91.73	Approval	Approval
W-1794	R4 to R3-S (PRD)	Approved 11-2-92	Includes portion of current site	1.05	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-5.60 Planned Residential Developments 					
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:	See comments above				
	(B) Environmental Ord.	NA				
	(C) Subdivision Regulations	NA				
Analysis of Site Plan Compliance with UDO Requirements	The site plan meets UDO requirements.					
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
Request would result in the conversion of a one way street into a two way street.			As proposed, the connection between Lakeshore Drive and Allerton Lake Drive would be terminated.			
According to WSDOT, the proposed intersection changes at Gatehouse Road and Petree Road will make the proposed two-way access at Gatehouse Road and Allerton Lake Drive safer.			Mature vegetation in landscaped median within Gatehouse Road will be replaced with younger vegetation.			

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO THE ISSUANCE OF ANY PERMITS:**
 - a. Developer shall obtain a driveway permit from the City of Winston-Salem Public Works Department.

- **OTHER REQUIREMENTS:**
 - a. If a grading plan is required a tree save plan will be required.

STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3081
NOVEMBER 11, 2010**

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Ashley Webb, Gupton & Associates, 2200 Silas Creek Parkway, Suite 2B, Winston-Salem, NC 27103

- The main intent of the petitioner is to widen Allerton Place from the one-way to a two-way access.
- In doing that they also want to limit traffic going through the Lakeshore Drive access. One reason for that is there is an existing access easement from Robinwood to Allerton and as a condition of that agreement Allerton is required to pay a portion of the maintenance expenses on Lakeshore Drive.
- Of course if they could completely restrict their vehicular traffic along Lakeshore and allow their traffic to go along this two-way Allerton Drive, they would be able to remove that access easement and save themselves some maintenance costs as they are no longer travelling on Lakeshore.
- One last proposal on the site plan is in widening Allerton Lake Drive to two-way they are being required by Engineering and by Transportation departments to reconfigure that gatehouse intersection which will improve the safety.
- The next thing I'd like to speak to is a letter I believe you should have received from the Robinwood Association dated October 11th. As I was reading this letter it occurred to me that several issues they pointed out in this letter seemed to stem from some misunderstanding between the two associations so I'd like to try to clear up some of those from a technical aspect.

- The first issue raised was questioning any public right-of-way on Gatehouse Road which Gary spoke to in his report. Gatehouse Road is in fact a public street so any of those landscaped islands you saw within that right-of-way, although it is currently maintained by Robinwood, it is actually owned as a public right-of-way.
- I had a conversation a while back with Connie Curtis from the Department of Transportation and she informed me that Robinwood has in fact been irrigating, lighting, and maintaining for a good while but as she goes back and looks through her records come to find out they are “illegally” maintaining this if there is such a thing in that they have not filed any encroachment agreements or maintenance agreements for these areas.
- As this has been brought up, that may need to be done by Robinwood but there is certainly nothing to stop them from continuing to maintain it.
- The next point that they brought up in their letter deals with this landscaping. We just want to point out that the proposed changes we’re making to this intersection at Gatehouse Road, while we are going to do away with some of the current landscaping islands, any of these islands that we are doing away with will be paved over and then we will be removing some different pavement to ultimately provide more natural areas within the right-of-way than currently exist which I think is always a good thing as long as traffic flows nicely.
- In any of these newly natural areas that we’ll be creating, as a condition of the grading permit, Allerton will be required to seed these to prevent erosion and it is also Allerton’s intent to add landscaping back to try to match what is existing there.
- The next point, point number three that Robinwood is making in their letter, deals with the safety which Gary also brought up in the staff report. It’s the opinion of the Engineering Department and also the Department of Transportation that his new intersection at Gatehouse Road with the new alignment of it will as I quote “be an improvement from a safety standpoint” rather than any negative aspect to the traffic flow there.
- The next point deals with the connectivity and the emergency access. The point the portion of Lakeshore Drive that connects Robinwood and Allerton as it is now. As Gary was saying, they’re proposing to install an emergency access gate there. They want to leave it available as emergency access only. As an attempt to improve connectivity though they do want to leave that paved pedestrian walking or biking trail so it’s our opinion that that will still help to connect the two neighborhoods and avoid any sort of divide by allowing free pedestrian connectivity.
- One more point that they make is in the cost of any landscaping or maintenance. As I said earlier, Robinwood has been providing the landscaping and irrigation of this area and they can certainly continue to do that. They may be required to fill out any of those encroachment agreements or anything with the Department of Transportation but they will certainly be able to continue to maintain even any new landscaping that the Allerton folks would provide.
- Another important point that they were concerned with is the relocation of their entry sign. They were concerned with the cost of this relocation and Allerton is proposing to include the relocation of this sign with their construction so long as there aren’t any repairs or additions or anything needed to that sign they do intend to relocate that. I know there was some confusion about whether or not they would be held to, but they do intend to relocate the sign.

- The last point that Robinwood had brought up in that letter is potential access from Millerwood Drive which is to the south of this. It's a stubbed out street to the south and I believe Engineering did take a look at this and determined that it is not feasible just because of the steep topography that's existing there. So I just wanted to point that out.
- The Allerton folks have really tried to conform with any of the recommendations and requirements that the Planning staff and all the other departments have asked of us to the maximum extent possible. They've offered to add an asphalt overlay on the intersection at Gatehouse Road where they'll be patching, removing pavement, and adding pavement over the islands so they've offered to overlay that as per the City streets.
- The Planning staff asked that they reconfigure the Lakeshore Drive to a "T" intersection and I really don't know that that's feasible. We looked at doing that but it's really not deemed feasible because of the excessive construction costs that it's going to incur and any easements that would need to be modified for that and it would also undermine adding a second access to the development. It would undermine the gate.
- One other thing was the proposal to relocate the optional gate further in towards Lot 1 of the Allerton development. We'd really like not to do this because of the close proximity to those lots. We don't really want to place the gate right in front of Lot 1 as it seems to almost isolate Lot 1 from the rest of the community. It would be a much better option I believe if they choose to install that gate if it were installed further out towards Gatehouse Road. In the event that the gate is installed the Allerton folks have agreed as recommended by the City Transportation that they will coordinate access of that gate with any emergency services, garbage services, anything other than the residential traffic that may need access to that gate. They will coordinate with them as far as how they will access that as far as when the gate will be closed, that sort of thing. So I think they've really made an attempt to do the best they can with the situation they've got.
- That's about it from a technical stand-point. I'd be glad to answer any questions that anybody may have.

David Murray, 3141 Allerton Lake Drive, Winston-Salem, NC 27106

- I'm the president of Allerton Lake Association and am also a property owner in Robinwood.
- I would like to correct one thing that was said here tonight. I think what was said was that we were doing this because of speed bumps and that's not correct. That is a reason, but it is not the primary reason.
- 18 years ago the neighborhoods were created and I think at that time the accesses were created. I think Robinwood at that time felt they didn't have a voice in what was done. I think we still pay for that voice today.
- We're trying to correct a situation that happened 18 years ago that shouldn't have happened. It should have been a one-way in and out for Allerton and we should never have come through Robinwood development. That's what we're proposing to fix with this street.
- Now people who come to visit us can't find their way out. They go out the one-way street or they go out through Robinwood and get lost in Robinwood because most people leave a development the same way you came in. It's confusing and awkward.

- There are financial reasons. There is a maintenance agreement. We pay a yearly fee to Robinwood and we also have paid somewhere in the neighborhood of 58% of all the costs of repaving and the speed bumps. Of course we paid for those too which I hate to admit.
- From another point, the feedback we get from realtors is negative. It's awkward for people leaving.
- All of that is the reason we're looking to separate this and taking this part on.
- The effect on Gatehouse Road is that the basic format is the same. All we're doing is shifting the islands over and separation of the median.
- It's sad because people cannot visualize what is on a one sheet drawing. I think a year from now when it's all built people will say, "What was all the to-do about?" It's a very simple thing.
- I hate that the two neighborhoods are squabbling the way we are about it.

AGAINST:

Brandt Deal, 2990 Bethesda Place, Winston-Salem, NC 27103

- I represent the owners of Robinwood.
- Asked those present who support Robinwood community to stand.
- As stated in Planning staff's presentation, Robinwood is a single-family planned residential development of 37 lots which was originally platted almost 30 years ago. At that time it was one of the first if not the first green development in the City with emphasis on natural landscaping and the natural beauty. It has won numerous awards for the landscaping and the style of development.
- The entranceway of Gatehouse Road which commences at Petree Road sets the tone and design for Robinwood. As the photographs reveal, though Gatehouse Road is a public street, the Robinwood Homeowners Association has taken great pains and great expense to landscape the entranceway, the sign, to irrigate it, and to even hire an arborist who comes in periodically and trims the trees and maintains it. As you can see from the pictures, it is a spectacular entrance which sets the tone for this neighborhood.
- I would challenge the board to find entranceways for any neighborhood that looks any nicer and more serene than the one going in at Robinwood.
- 12 years after Robinwood was started CB Development Company platted and began construction on Allerton as a single family development. It has 38 lots.
- It's entrance is off Gatehouse Road. It has been that way for the last 17 years.
- After 17 years, some of the owners of Allerton want in our opinion to alter if not destroy the beauty of Robinwood's entrance by creating a gated community as proposed today.
- With the exception of three property owners in Robinwood who also have lots in Allerton and whose houses are for sale, all Robinwood residents have signed the petition of opposition to this request.
- To destroy 40' of landscaped island with mature crape myrtles, azaleas, and lighting to reduce the size and relocate the island where our sign is located and to remove that large specimen oak tree which is over 30 years old so that a neighborhood which has operated this way for 17 years can now become a gated and I suppose more exclusive neighborhood in their estimation is to place too large a burden to place on Robinwood

which has been creating and maintaining this neighborhood for over 30 years. To gate off neighborhoods as shown on their plans does not lead to the furtherance of connectivity of neighborhoods as stated as a goal of this board. As stated in staff report, street connectivity reduces emergency response time, aids in evacuation procedures, and vital public services such as postal and sanitation. It has been a stated position of this board that y'all like connectivity. Notwithstanding what they say about the gates being optional, that is the reason this is being done is so that they can gate off their community.

- To have two-way traffic entering Gatehouse Road at Allerton Drive, I know DOT's opinion is different, but we contend that crossing over Gatehouse and turning left to go onto Petree will create some traffic problems and potentially some accident opportunities.
- I obviously was not involved in the process when this subdivision was first proposed and approved 17 years ago, but I imagine these traffic issues and this pattern of development was considered at the time this subdivision was originally done and the Planning Board and the Board of Aldermen at that time approved it based upon the reasons we feel are obvious.
- This proposal places all the burden on the owners of Robinwood. Though Gatehouse is a public street, the City has not had to spend a dime of taxpayer money maintaining what you have seen. I think it is a gem for the City. You know, this 240 feet divided road which leads from Petree is one of the prettiest in the City and to cut it off and lose 40 feet of it and to change it all we think is a real travesty. Though removing that may reduce some of the cost to the Robinwood Association, they're here today to say they don't mind paying for what they've got and would like to keep the neighborhood as it is.
- We would respectfully request that the petition we denied.

Betsy Baldwin, 220 Forest Brook Drive, Winston-Salem, NC 27106

- I'm a homeowner and board member in Robinwood.
- I think I speak for my neighbors and myself when I say that we're concerned about this plan because of what it would do to the natural environment.
- Like me, my neighbors made a conscious decision when we bought in that neighborhood. We didn't buy majestic homes, we bought a majestic setting.
- We're really concerned about maintaining and protecting that green space. That is our primary concern here.
- We would like for you to seriously look at the pictures, the photographs, and take our concerns seriously.
- I don't think we've said that there wouldn't be a compromise but we don't want that entrance which is a major part of our natural setting to be diminished because we feel that would diminish the overall integrity of the neighborhood and the overall property value of the neighborhood.

Gene Metcalf, 235 Forest Brook Drive, Winston-Salem, NC 27106

- I've lived in Robinwood for over 10 years and have also served on the board of Robinwood for about eight of those years.
- As you've heard, Robinwood is a very unique and special community. It won awards and accolades when it was designed in 1981 I believe it was.

- Allerton was built some ten years later and it was intentionally built and designed so that they would be connected and continuous communities. That is, they were connected for a reason because it was designed to be a joined community. Because of that when it was built they were given an entranceway one way and then to connect the neighborhoods they exit through our neighborhood. It has been that way for 20 years. There has never been a problem. There has never been an accident to my knowledge.
- The neighborhoods were designed to be together and it has worked well that way.
- The City actually has a policy and this Board has a policy which encourages neighborhoods to be connected.
- What this is really all about is not speed bumps. It is about the desire of Allerton to gate and close themselves off. To make themselves an exclusive, gated community. I would be fine with them doing that, but they're asking us to pay the price.
- For 30 years Robinwood has maintained and nurtured its landscape including the entranceway. Our single biggest budget item is for landscaping and preservation. In fact, we have a long-term reforestation plan. We pay a professional arborist, not just a tree service company, to come in and care for our trees. That's how seriously we take our community. That community starts at the entranceway.
- For 30 years we have maintained it. Allerton has not. We are the ones who have done it and we feel like we should be protected from any changes.
- It has worked well. There are now two entrances into Allerton. There's the one-way entrance or you can come down and enter through our neighborhood.
- From a safety standpoint I think that makes a big difference.
- You asked about compromise. We were never approached for a compromise by Allerton. Allerton never came to us for input before this plan was submitted to the City for approval. Yes there is a compromise and there is another proposal. We asked them to meet with us and we met with them after this was done. We said, "how about putting this on hold and let's talk about other alternatives?" That was rejected. It's our way or no way from Allerton's standpoint, but they want us to pay the price for that.
- It was the entranceway that sold me my house. It is such a unique special place that I drove through the neighborhood. I wasn't looking for a house, but when I realized what a unique neighborhood this was, I bought my current house.
- This is like living in the country in the middle of the City.
- Our neighborhood starts at our entranceway. We ask that you protect that. We ask that you protect our neighborhood. And we ask that you protect the City's policy of connectivity.
- If you turn this down, then maybe Allerton may come back and talk to us about other alternatives that there could be.

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. Allan Younger: One of the concerns was Millerwood Road and whether there would be a better two-way access to Allerton. Looking at the picture, what is that that would occupy where Millerwood Drive would run into Allerton? Gary Roberts: That is a vacant lot and it dips down significantly. The City Engineer looked at that and it is not feasible to extend Millerwood Drive.

2. Lynne Mitchell: If you have a gate, how does a visitor come to see you in the neighborhood? David Murray responded that the gate was an option for the future and that they could have a gated community. There are systems that would allow them to do that.
3. Barry Lyons: I know that Millerwood Drive was originally offered up as a different solution and that's been taken off the table. Is there any form of reconfiguration which Robinwood would accept that would maybe achieve the same purposes that Allerton is looking for? Brandt Deal: You mean to turn them into a gated community? I'm not sure what the question is. Barry Lyons: I know there's a desire not to remove the islands or the sign. Is there another option that would achieve it without having to do that? Is there a possibility for a compromise? Brandt Deal: The compromise I think somebody spoke is to the speed bumps. That seems to be a point of contention between the neighborhoods. We are surely willing to change, remove, reduce the size, the number, whatever that seems to be an issue with the folks at Allerton about the speed bumps. It was done for safety purposes, but I don't believe there's been an accident. I don't know of any and no one in the neighborhood that I'm aware of and maybe the Allerton folks can speak to it, but I don't know of any accidents that have occurred so I don't think it's as big of a problem.
4. Allan Younger: I know where this development is but have never driven into Robinwood. For clarification, are the properties along Maple Hill Court and Lakeshore Drive part of Allerton Place or Robinwood? Brandt Deal: That's part of Robinwood. Allan Younger: Okay, so when the neighborhood was originally built it was intended for access out of one neighborhood to go through another neighborhood? Brandt Deal: I would suppose so since that road was stubbed.
5. Arnold King asked Gene Metcalf if Allerton folks wanted the speed bumps there, if they were consulted when the speed bumps were put in? Gene Metcalf: I'm not sure about that, but I can say this. There was a problem with people going way too fast from Allerton around our street. While I was on the board we wrote several letters to Allerton asking them to talk to their residents about slowing down as they came through the neighborhood. It never changed so finally we put in some speed bumps just to slow things down. But at our meeting recently we told Allerton that if the speed bumps were the issue then talk to us about speed bumps. We will agree to either lower them, remove some or all of them if that's what it takes to make this right. We are willing to make compromises. We were never given the opportunity to do that.
6. Arnold King: What's the objection to them putting a two-way street in and taking the traffic out of your neighborhood? Gene Metcalf: The objection is that they do so at the expense of our entryway. We lose landscaping that has been there for 30 years. We lose at least one majestic oak tree that is a signature tree on our entranceway. Once you cross that entryway from Petree Drive to Gatehouse

Road, it is an entirely different community. It just washes over you. What they're wanting to do is to bump that way down, take out a significant amount of landscaping that we now have, and to install a large amount of pavement. And they are wanting to do that so that they can gate themselves off. The City of Asheville a while back passed a moratorium on gated communities and wouldn't approve any more. Their reason was that if people were going to live in their community, they wanted them to be part of their community. This is something that isn't needed. It's wanted. But we're being asked to pay the price for it.

7. Arnold King asked David Murray how important this gate is to Allerton? David Murray stated that the gate was not important. As I said before, it's an option. In response to a question earlier about the curvature of the road, when Robinwood was originally built, all of the land in Allerton was to be part of Robinwood. Part of what is Ridgemere today, part of what was Staunton Court, was all part of Robinwood. After ten years or so, the developers sold it off in pieces. That's how the road at the intersection, how the two became connected.
8. Arnold King asked David Murray if they would be willing to talk to the folks in Robinwood if we continued this thing for a month and see if you can work out something? David Murray: As president of the association I have access to our files. This has been brought up over the years and the same comments continue to come back. It really comes back to one thing: Robinwood thinks they own what is really a City street. Arnold King: I just want a simple yes/no answer. David Murray: I'm sorry. I think the point, we would sit down with them, look at landscaping, but as far as a road, I don't know how there is any way to move past that. Yes.
9. Paul Mullican: One person said that Robinwood actually took care of the entranceway. Does Allerton pay anything or maintain any part of the entranceway? David Murray: Part of our property comes up to and abuts Gatehouse Road. We take care of that part. Robinwood maintains the island in the center of the road. There are Duke power lights in there and there is some landscaping. In the fees we pay to them we have been paying half or 51% of their light bill in their neighborhood. That's how we have paid them money over the years. However that money is used, it is used for Robinwood's purposes. It may be taking care of landscaping. It may be paying for lights.
10. Lynne Mitchell: I feel like I'm a parent dealing with some quibbling children. I hear both sides and I'd really like y'all to get together and see if you can come to a compromise. At least make a good-faith effort.
11. Arnold King: It's been going on for 20 years so I don't think another month is going to hurt anything. I'd like to suggest then that we come back here again next month and we'll give each of the sides 10 minutes or 5 minutes to present their case instead of going to a full-blown public hearing. Or ask one person to

represent each association and take five minutes each next month to tell us their position as to whether they've come to any common ground and if not then we can make the decision. Or we can do that today if you want us to.

12. Clarence Lambe: Shared maintenance agreements are difficult. Arnold King: That's part of the problem here too. Clarence Lambe: I don't know how you solve that if you don't grant the second part of this new entrance situation.
13. Arnold King to Board members: What are the issues you would like these folks to address?
 - The gate.
 - The specific amount of landscaping which will come out. I'd like to see a better site plan or something we all could understand to see what the entrance would look like.
 - What landscape is coming out and what's going in.
 - They need to come to some agreement if that sign's got to be moved.Arnold King: I don't know how we get involved in Allerton paying if they're going to move the sign for Robinwood. That is beyond our purview but they need to have some sort of agreement on that. We're getting into this squabble between neighbors and we'd like you to go see if you can't work it out and come back next month.
14. Wesley Curtis: Certainly persons from each side can understand the point of view from person of the other side of those points. At least say what they might be willing to compromise a little bit on and try to get to that middle ground. Each side has a valid point of why they think this should or shouldn't happen. Maybe each side needs to think what little compromise they can make on each of those points that might lead to a compromise. Maybe it's not there. I think the bottom line today is the petitioner's decision on whether they want to continue it and work on it or whether they want our vote today. We can certainly do that too.
15. Arnold King asked David Murray and Brandt Deal if each side would be willing to continue it for 30 days.
16. Barry Lyons: I have to say at this point I'd be more inclined to deny it because I do feel the burden is on Robinwood. It seems like there's been very little give on the part of Allerton and asking an awful lot of Robinwood to give up. In some sense I think they have some sort of claim just because they've been there for a while.
17. Paul Mullican: They're taking traffic off the street though. When I saw this plat I figured Robinwood would be tickled to death. However, if I understand this correctly, that has nothing to do with it. It's about the entranceway. If we can get some drawings to show us what this landscaping is going to look like, it may help everyone understand it better and come to a meeting of the minds.
18. Arnold King: I would think it could be redesigned and still be attractive.

19. Allan Younger: One of the comments that was made is that the desire for a two-way street is because it's confusing for people who are visiting Allerton about how to exit. That's a legitimate concern. However, maybe the discussion needs to include some consideration to directing people out. Is there even a sign to say that this is the way that you exit? That would be a lot less costly.
20. Arnold King asked David Murray if they were willing to continue this 30 days or if they want a vote today. David Murray stated they would be willing to continue this 30 days. Arnold King noted that the Board would leave it up to the petitioner and the Robinwood folks to discuss it and be back in 30 days.

MOTION: Clarence Lambe moved continuance of the Site Plan Amendment to December 9, 2010.

SECOND: Wesley Curtis

VOTE:

FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican, Allan Younger

AGAINST: None

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3081
DECEMBER 9, 2010**

MOTION: Paul Mullican moved continuance of the Site Plan Amendment to January 13, 2011.

SECOND: Wesley Curtis

VOTE:

FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican, Allan Younger

AGAINST: None