

BE IT REMEMBERED that the Hattiesburg City Council held a Public Hearing on unsafe properties at 4:00 p.m. Monday, April 16, 2018, in Council Chambers at City Hall, pursuant to order adopted March 20, 2018, at Minute Book 2018 Page 68, to determine if the following properties are in such a state of uncleanness so as to be a menace to the health and safety of the community.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Chief Administrative Officer, Ann Jones; Director of Administration/City Clerk, Kermas Eaton; Interim Manager of Public Works, Colton Hill; Director of the Water Department, Alan Howe; Director of Urban Development, Andrew Ellard; Planning Administrator, Ginger Maddox; Code Enforcement Manager, Chris Price; City Attorney, Randy Pope; Customer Service Coordinator, Joe Paul; Chief Communications Officer, Samantha McCain; Clerk of Council, Debbie Bernardo; Deputy Clerk of Council, Lisa Luu; media; and the public.

Council President Carroll called the meeting to order and explained the procedures.

1. **2018-369** Hold Public Hearing on Monday April 16, 2018 to determine if the following properties are in such a state of uncleanness so as to be a menace to the health and safety of the community, according to the provisions of MS Code 1972, Section 21-19-11.

|                     |                                                                                                                                                                                                         |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Attachments:</u> | <u>Public Hearing memo 04-16-18</u><br><u>1. 701 Eufala Ave.</u><br><u>2. 213 W. 7th St.</u><br><u>3. Corner of Camp &amp; S. 20th Ave.</u><br><u>4. 1305 Rebecca Ave.</u><br><u>5. 901 Fairley St.</u> |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Code Enforcement Manager Chris Price presented the properties to be considered. Mr. Price recommended that the Council adopt resolutions determining the properties are in such a state of uncleanness so as to be a menace to the health and safety of the community, providing a specified period of time to remove the violations, and declaring the City's intent to take action to clear the violations and charge the cost plus penalty against the property if the violations are not resolved in the specified period of time.

Myron Evans, 285 Morrell Circle, appeared before the Council regarding Case # 5, the property at 901 Fairley Street. Mr. Evans said he intends to keep the building and that it has been in his family since the 1930s; he said his aunt owned the property when Hurricane Katrina hit, and that she had Alzheimer's, had no insurance and lost the property. He said he was in the military, serving in Afghanistan, but contacted the purchaser and waable to buy the property back.

He said he came to Hattiesburg from Texas in 2015 to meet with Code Enforcement and was directed

then to draw up a plan to repair the gable and clean up the property; he said he drew up the plan, gave it to [Code Enforcement] and then was sent to the permit department. Mr. Evans said he [applied for a permit] and returned to Texas, and several months later received word that [the permit was denied] because the property had been re-zoned and he could no longer put an apartment complex there. Mr. Evans said that a planning department staff member told him he could apply for a variance, but that it would not be approved.

He said he returned to Texas and was deployed to Iran. Mr. Evans stated that he subsequently returned to Hattiesburg, and that [Mark] Jordan, then the Code Enforcement Manager, said that either [Mr. Evans] or the City needed to demolish the building. Mr. Evans said that in the following months, he thought about it and decided that he wants to restore the building. He said he and his wife have rehabbed four homes in the neighborhood and have people living in them.

Council member Delgado said she would like to see [the building] restored and asked if it would be a duplex or four-plex; Mr. Evans said that it is a four-plex and confirmed that as the original use of the structure.

Council member Delgado stated that she would like to see Mr. Evans file to request a variance; Ms. Lowrey said that a variance may not be appropriate but that she would be glad to [discuss] conditional use and other options with Mr. Evans.

Mr. Price suggested that the Council adopt the resolution and keep it in place as Mr. Evans develops a plan of action; he stated that there may be safety issues related to the structure. Council member Delgado said that she wants the building to be safe, but that the process for a variance or conditional use is time-consuming. She also said that she is not certain it would be fair to have the resolution in place as Mr. Evans goes through the process.

Mr. Ellard said the matter can be deferred for 60-90 days, and that [the planning division] can assist Mr. Evans with his application.

Council President Carroll asked if this property will be removed [from the list of properties for which resolutions are considered]; Mr. Ellard responded in the affirmative.

Council Vice President Dryden asked that Mr. Evans be given specific steps to be taken and a timeline; Council member Delgado suggested that planning be involved because of the timeline.

**2018-449**      Unsafe PH Sign-In Sheet, 4-16-18.

Attachments:   PH-Unsafe Sign-In Sheet, 4-16-18

By unanimous consent, Council President Carroll closed the public hearing at 4:08 p.m., this the 16<sup>th</sup> day of April, A.D., 2018.

BE IT REMEMBERED that the Hattiesburg City Council held a public hearing at 4:00 p.m. Monday, April 16, 2018, in Council Chambers at City Hall for the appeal filed by Jeff Sims and Ashley Robinson, Owners, to appeal the Planning Commission's recommendation for the petition filed by Ashley Robinson, Owner, and Jeff Sims, Owner to establish the zoning classification for certain properties (see attached memo for property parcels) located in the Mandalay Villas at Greystone subdivision at the intersection of J. Ed Turner Drive and Topanga Trail in Ward 1 to Section 4.5.4, R-1B (Single-Family Residential) District. Hattiesburg Planning Commission recommended to Deny on March 7, 2018.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Chief Administrative Officer, Ann Jones; Director of Administration/City Clerk, Kermas Eaton; Interim Manager of Public Works, Colton Hill; Director of the Water Department, Alan Howe; Director of Urban Development, Andrew Ellard; Planning Administrator, Ginger Maddox; Code Enforcement Manager, Chris Price; City Attorney, Randy Pope; Customer Service Coordinator, Joe Paul; Chief Communications Officer, Samantha McCain; Clerk of Council, Debbie Bernardo; Deputy Clerk of Council, Lisa Luu; media; and the public.

Council President Carroll called the meeting to order and explained the procedures.

1. **2018-379** Hold public hearing for appeal filed by Jeff Sims and Ashley Robinson, Owners, to appeal the Planning Commission's recommendation for the petition filed by Ashley Robinson, Owner, and Jeff Sims, Owner to establish the zoning classification for certain properties (see attached memo for property parcels) located in the Mandalay Villas at Greystone subdivision at the intersection of J. Ed Turner Drive and Topanga Trail in Ward 1 to Section 4.5.4, R-1B (Single-Family Residential) District. Hattiesburg Planning Commission recommended to Deny on March 7, 2018.

Attachments:                      Appeal - Mandalay Villas R-1B Zoning denial  
                                                  March HPC Minutes  
                                                  Letter to City Council 4-9-2018

Ms. Maddox provided a PowerPoint overview.

Appellants Jeff Sims and Ashley Robinson appeared before the Council on behalf of the development at Mandalay Villas at Graystone. Mr. Robinson said this project has been ongoing for about a year and a half, and that the property was acquired as an undeveloped property and taxes were paid on it last year; he said he and Mr. Sims took the development to reclaim it and to bring new homes to the area. He presented a PowerPoint that included images of Augusta Court, Knight's Landing and other residential developments, and discussed the quality, square footage, appraisal value and sale price of the homes their company builds.

Mr. Sims stated that the basis for the zoning request is that it most closely matches the original plat; he said it was originally platted in Lamar County and was subsequently annexed, and that the plat was accepted by the City in about 2006. He said R-1B closely matches the existing lot size of the plat that was accepted and that R-1B zoning would mean that all the lots will be conforming. He said that R-1A zoning would result in 48 of the 49 lots being non-conforming, which he said seems inconsistent with the plat accepted by the city.

Mr. Robinson said that R-1A zoning was for property developed in the 1970s and that the City of Hattiesburg has not platted or planned an R-1A development in more than 30 years; he stated that residential subdivision developments in the Country Club area are either R-1B or R-1C. He said they requested R-1B zoning because 48 of the 49 lots conform to the plat that was planned at Lamar County, accepted by Lamar County and then annexed by the City of Hattiesburg; he said an R-1A zoning will make 43 of the 49 lots non-conforming (sic). Mr. Robinson said the lots can be approved administratively as R-1A.

Mr. Robinson stated that since 1998, developments in the Hattiesburg Country Club area have been R-1B, including two developed lots directly across from the Country Club and four that are available now; R-1C, which he described as a less restrictive standard, including the Villages, the Woodlands and Classic Woods, all still in current development; and R2, which he said includes recent approval for Shadow Ridge Draw Club's plans for a multi-family or single-family residential, 4,500-square-foot minimum development. He said R-1B most closely resembles [the plat] as it was legally adopted and platted. Mr. Robinson stated that the City has not platted an R1A subdivision in the Hattiesburg Country Club area at all since the 1970s; rather, he said, the City has annexed R-1A subdivisions that were planned and platted at Lamar County.

Mr. Robinson stated that Mandalay Villas at Graystone's request for R-1B zoning is consistent with what is already in the area. He said the City of Hattiesburg has not required any other residential subdivision developer to construct to R-1A standards since the 1970s.

He said Mandalay Villas at Graystone includes 49 legally platted lots located on J. Ed Turner, platted and approved by Lamar County in 2007 and annexed by the City in 2008. He said the lots were platted and drawn with five-foot setbacks, 25 feet in the front and 20 feet in the rear. He displayed a copy of the plat. He said if R-1A zoning is imposed, 43 of the 49 platted and legally adopted lots will become non-conforming and will require administration approval; he said six of the 49 platted and legally adopted lots will require further review by the Planning Commission and approval again by the City Council.

Mr. Robinson said if R-1A zoning is imposed, a setback variance will allow them to build larger homes; without a setback variance, he said, they will be restricted to building smaller homes. Mr. Robinson said they are building 1,700-square-foot homes that sell for \$250,000 and do not want to build smaller homes. Also, he said there is not a market demand for smaller homes. He displayed a copy of plans for a smaller home that he said R-1A zoning would necessitate they build, and said that it is 1,232 square feet.

He said R-1B zoning will mean that one of the 49 platted and legal lots will become non-conforming and said that it can be administratively approved. He said that side setbacks allow the opportunity to develop the plat as it was designed and legally adopted and as it was legally annexed and approved by the City of Hattiesburg.

Mr. Robinson showed images of current proposed homes and said they are the highest in the market. He said Mandalay Villas is most consistent with the zoning in place, and that R-1B zoning is consistent with all other developments in the Hattiesburg Country Club area and allows them to develop the plat as it was designed and legally accepted.

Council President Carroll called on opponents to the zoning request.

Attorney Seth Hunter appeared before the Council representing Wes and Kelsey Hester of 85 J. Ed Turner Road. Mr. Hunter asked that the electronic copy of the records he submitted be made part of the record. He displayed a copy of the full plat as filed in Lamar County and then provided a timeline. He said the Augusta Court plat was approved February 5, 2007 by the Lamar County Board of Supervisors and that the Mandalay Villas plat was filed and approved July 2, 2007 by the Lamar County Board of Supervisors. He said on January 7, 2008, the original developers filed to abandon and vacate both the plats and did abandon and vacate them that day. Mr. Hunter said the plats do not exist anymore and were never approved by the City. He stated that this area was annexed into the City on October 21, 2008, without the plats existing, and referred to the plats as a legal fiction.

Mr. Hunter said there is nothing that says the City has to approve the R-1B [zoning]; he said there are no lots there and that the primary zoning [in the area] is R-1A. He said the developers pointed out some of the less restrictive R-1C and R-1B [zoning] and said that the City has not zoned any R-1A developments in 30 years. However, Mr. Hunter said, that is not true. He stated that the 100-lot Preserve Subdivision was approved as R-1A in May 2012; that unclassified property on J. Ed Turner Road was zoned A-1 in May 2013; that unclassified property on J. Ed Turner was zoned A-2 in July of 2014; that four unclassified parcels on J. Ed Turner Road were zoned A-2 in December 2014, January 2015 and October 2015; and that approximately 30-40 lots at Augusta Court were zoned R-1A in February 2016.

He said [City] zoning in the last 30 years has been R-1A, A-1 or A-2. He said the Village and Alex Lane were R-1C zoning and were already zoned when the city annexed [that area] in 2008, but that everything the City has zoned since then has been R-1A, A-1 or A-2.

Mr. Hunter said that the Mandalay Villas plats do not exist, but that he still wanted to address the matter of non-conforming lots. He referred to City Code Section 2.4.3, which regulates vacant lots, and said the Mandalay Villas lots are non-conforming and that Code Section 2.4.3.3 requires that non-conforming adjoining lots with a common owner be combined so that they do conform.

He said that the City's Comprehensive Plan addresses vacant land, and that the neighborhood in question is considered Neighborhood Conservation District 2, which he said provides that it should be zoned as a low-density area with standard setbacks. He said the developers are asking for R-1B zoning but with setback variances also. He said the Comprehensive Plan sets forth that if development occurs in a low-density area, there need to be standard setbacks, which he said are provided in R-1A zoning.

Mr. Hunter said the Comprehensive Plan also states that rural residential agricultural property, when annexed, should transition from very low density to large estate residences or suburban residential development. He said all the lots on J. Ed Turner that were supposed to be the Village at Graystone have been purchased by the developers and made estate lots. He said Augusta Courts is R-1A, and that nothing towards Jackson Road is zoned right now. Mr. Hunter said that if the city considers any zoning, it should not be R-1B, but R-1A, which he said is the zoning for everything else in that area.

Mr. Hunter said there is a lot of green space and that his clients would like it to remain that way; he said that if 49 houses are put on 13 acres, there will be no green space. Also, he said there will be infrastructure issues. He said his clients have a septic tank that the City must pump out every three days, as there is no sewer on J. Ed Turner Road. He said the City needs to provide necessary services to the citizens who already live on J. Ed Turner Road before accepting 49 new houses. He said also that his clients received notice in January from Southern Pine Electric about the potential for rolling blackouts because the company cannot provide power to all residents when there are power strains. .

Mr. Hunter cited crime statistics for 2014-2018 in Acadia Oaks, a nearby high-density neighborhood in Lamar County, and said there are occurrences there of petit larceny, auto burglaries, grand larceny, auto theft, burglary, domestic violence and simple assault; he said J. Ed Turner does not have crime presently and that the City will be stretched to provide police and fire services to an additional 49 houses. Also, he said in 2008 when this area was annexed, the Code of Ordinances required that within five years the city provide water, sewer and lighting on J. Ed Turner. He said that has not happened, and asked that the City consider this before granting R-1B zoning. Mr. Hunter also said that the character of the neighborhood is primarily R-1A, as 333 lots are zoned R-1A; he suggested that if the lots are zoned, they should be zoned R-1A or a higher restriction, rather than the less restrictive R-1B zoning.

Council President Carroll invited others in opposition to speak.

Brent Brevard said that he bought a five-acre lot on J. Ed Turner Road next to the Augusta Courts subdivision. He was complimentary of the home being built next to his property, but said it would bother him to have a development nearby on smaller lots as there is not a guarantee on the size or spacing of homes. He said he would like to see the zoning stay the same.

Council President Carroll asked that others in opposition wait to speak until Citizens' Forum, as the scheduled time had elapsed.

Council President Carroll called on Mr. Robinson and Mr. Sims for rebuttal.

Mr. Robinson said that all recent 1-A developments, including the Preserve and Augusta Court, were platted in Lamar County and annexed into the City of Hattiesburg.

He said that the City Attorney told him that the Mandalay Villas plat is a legal plat, and that it is in the system and has been taxed that way since 2007.

Mr. Robinson and Mr. Sims addressed the gravity sewer system at Mandalay Villas and said it is separate infrastructure from the other parcels on J. Ed Turner.

Mr. Robinson said their goal is to build a bigger house. He said R-1A zoning with ten-foot setbacks will force them to build a smaller house. He said their market is 1,800 square feet at \$250,000, and that they want to be good neighbors and are working to do the right thing. He said with 12 houses at \$250,000, this project involves about \$12 million in construction and will increase the tax base.

Mr. Sims said that his understanding is that the power issue that was brought up is a grid-wide problem and not specific to this area. Also, he said he cannot speak to the crime issue at Acadia Oaks, but that this is a vastly different type of construction.

**2018-483** Presentation from Jeff Sims and Ashley Robinson, 4-16-18.

Attachments: Mandalay Villas - Presentation, 4-16-18

**2018-481** Documents Provided by Attorney Seth Hunter, 4-16-18

Attachments: Miss Code Ann 17-1-23  
Ex 1 Mandalay Villas Plat  
Ex 2 Augusta Court Plat  
Ex 3 02051007 Lamar BOS Minutes Augusta Court Plat Approved  
Ex 4 07022007 Lamar BOS Minutes Mandalay Village Plat Approved  
Ex 5 01072008 Lamar BOS Mandalay Villas and Augusta Court Plats Abandoned  
Ex 6 Land Development Code Excerpts  
Ex 7 Comprehensive FLU Plan Excerpts  
Ex 8 Annexation History  
Ex 9 Future Land Use Map  
Ex 10 GIS Zoning Maps  
Ex 11 Satellite Imagery  
Ex 12 Lamar SO Crime Stats Acadia Oaks  
Ex 13 Southern Pine Electric News Release

**2018-484** Hattiesburg FOIA Request and Response - Documents Provided by Ginger Maddox, 4-16-18.

Attachments: Hester - City of Hburg Public Records Request SIGNED, 4-4-18  
Ord 3181-3184  
HPC 2 3 2016  
Ord 3170  
Ord 3151  
Ord 3149  
Ord 3137  
Ord 3101  
Variance 79 JEdTurner  
Ordinance 3022 Annexation  
Ordinance 2910 Annexation by Court Order Effective Nov 2007  
2012 Zoning Approval The Preserve

**2018-448** Mandalay Villas R1-B APH Sign-In Sheets, 4-16-18 (For the Appeal/Against the Appeal).

Attachments: APH Sign-In Sheet, For the Appeal (In Favor of R1-B Zoning),  
Mandalay Villas, 4-16-18  
APH Sign-In Sheet, Against the Appeal (Oppose the R1-B Zoning),  
Mandalay Villas, 4-16-18

By unanimous consent, Council President Carroll closed the public hearing at 4:42 p.m., this the 16<sup>th</sup> day of April, A.D., 2018.

**THIS PAGE LEFT BLANK  
INTENTIONALLY**

BE IT REMEMBERED that the Agenda Review meeting of the Hattiesburg City Council was held at 4:42 p.m. Monday, April 16, 2018, in Council Chambers at City Hall.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Chief Administrative Officer, Ann Jones; Director of Administration/City Clerk, Kermas Eaton; Interim Manager of Public Works, Colton Hill; Director of the Water Department, Alan Howe; Director of Urban Development, Andrew Ellard; Planning Administrator, Ginger Maddox; Code Enforcement Manager, Chris Price; City Attorney, Randy Pope; Customer Service Coordinator, Joe Paul; Chief Communications Officer, Samantha McCain; Clerk of Council, Debbie Bernardo; Deputy Clerk of Council, Lisa Luu; media; and the public.

Council President Carroll called the meeting to order.

Council President Carroll proceeded with the Agenda Review.

The Clerk of Council read aloud amendments to the agenda as follows:

Remove Policy Agenda Item V. -3 at the request of the Administration.

Add Policy Agenda Item V. -17 at the request of the Administration as follows:

- V. -17 2018- 376** Acknowledge receipt of and accept Appraisal Review Report for a portion of Parcel PPIN 35075 located in Lamar County for the J. Ed Turner Multi Use Path Corridor project; Approve Establishment of Just Compensation and declare Appraised Value of \$23,500 to be Fair Market Value pursuant to MS Code 43 37 3 and other applicable statutes; Authorize offer to owner for Fair Market Value of \$23,500; Authorize issuance of manual check in payment upon acceptance of offer.

Attachments: Just Compensation Offer revised  
Establishment of Just Comp Offer executed  
Stan Black PPIN 35075 Combined Appr. Rev. and Appr.  
FC15 220 ALTA New ROW Survey 2017 11 01

And, Add Routine Agenda Items VI. - 12 and VI. - 13 at the request of the Administration as follows:

- VI. -12 2018- 401** Acknowledge receipt of request filed by Utpal Patel, Owner, to appeal the Planning Commission's recommendation for the petition filed by Utpal Patel, Owner to change the zoning classification for a certain property located at 208 North 38th Avenue (Parcel 2 028L 07 144.01, PPIN 41562, Ward 1) from Section 4.5.9, B 2 (Neighborhood Business) District to Section 4.5.10, B 3 (Community Business) District; Hattiesburg Planning Commission recommended to Deny on April 4, 2018; Set a public hearing before City Council on May 21, 2018 at 4:00 p.m. and authorize publication of Public Notice setting an Appeal Public Hearing.

Attachments: Appeal 208 N 38th Ave

- VI. -13 2018 -383** Acknowledge no bids were received at the bid opening April 5, 2018 for the 28th Avenue Bridge Replacement project; Authorize re-advertisement for bids for same project.

Attachments: 11204 no bid letter  
S. 28th Ave Bridge No bids, Re-advertisement  
11204 construction plans signed 2018 02 12 Rebid  
11204 Specs Review Set 2018 04 09 Rebid

Attorney Ron Farris appeared before the Council regarding Policy Agenda Item VI. - 6, a resolution approving the form of and authorizing the execution of an Interlocal Cooperation Agreement in connection with the Tax Increment Financing Plan for the Hardy South Project. He provided an overview of the project and responded to questions from the Council.

Following discussion of the remainder of agenda items, Council President Carroll closed the Agenda Review.

Council Vice President Dryden proceeded with the Citizens' Forum. She stated the procedures and invited members of the public to speak.

Greg Koock, 1624 W. 7th Street, appeared before the Council regarding trouble he has had with service from Comcast Xfinity since December. He stated that he has experienced glitches and outages for 75 of the last 95 days and said citizens of Hattiesburg deserve better; Mr. Koock said he has submitted a letter detailing his complaints to Mr. Ellard.

Walter Bumgardner, 11 Delond Place, spoke in support of a proposed ordinance that would require registration of rental properties. Mr. Bumgardner said there has been a notable increase in the number of rental properties in the last ten years in the area of Sharmont Drive, and the proposed ordinance would help the city track them.

Jeff Sims, 109 Safari Way, signed in but did not speak.

Joshua Sims, 51 Safari Way, signed in but did not speak.

James Moore, 406 Crestmont, spoke in support of a proposed rental properties ordinance. He stated that he is on the board of the University Heights Neighborhood Association, which he said fully supports the proposed ordinance. Mr. Moore said currently there are several properties that consistently rent by the bedroom, resulting in 12-14 vehicles on some weekends. He said he owns five rental properties in his neighborhood; he said he bought them because it was the only way to control the homes around him, as there has been no ordinance, and that he would love to be out of the rental business. Mr. Moore discussed positive results of a rental ordinance that was passed in the City of Petal when he was on the board there. He stated that any rental ordinance must comply with the Americans with Disabilities Act.

Former Council member Kathryn Cummings, 111 Lake Shore Drive, spoke in opposition to the requested zoning change on J. Ed Turner Drive. She discussed the city's annexation of the area in Ward 1 and said at the time, it was recognized that a lot of vacant land was available for development. She said the Country Club Lake Estates Homeowners Association, of which she is current president, did not like being annexed but she assured them they would receive a lot of protection from the city. Since that annexation, Ms. Cummings said, other very nice neighborhoods have been brought in, and all expect protection. She stated that high-density housing and increased traffic is not compatible with the neighborhoods that exist; she said [residents] do a lot to take care of

their neighborhoods and want to keep them that way. Ms. Cummings asked the Council to keep that in mind.

Eric Weill, 71 J. Ed Turner Drive, said he bought the first five-acre lot in the area. Mr. Weill said is concerned about too many houses in too small of a space right down the road from his house and those of his neighbors. He said even though they will sell initially they eventually could become rental units, and that many houses that close together constitute an apartment complex. Mr. Weill said he does not want an apartment complex in his residential neighborhood and asked the Council to accept the recommendation of the Planning Commission.

John Eye, 123 J. Ed Turner Drive, stated that he lives 1100 feet from the new development on one of the five-acre lots. He said [he and his wife] have lived there four years and knew when they bought the lot that they needed to get it zoned; he said they began the zoning process before they even moved to town and that it was zoned about a month after they closed on the land. Mr. Eye said his concern is that there are no secrets about this land, that the builder bought it knowing it would need to be zoned; he asked why [the builder] is scrambling around now to get spec provisions and variances when people do not want it.

Mr. Eye said he has walked around and talked with people and found nobody who is in favor of [the zoning request]. He said a big part of the zoning process is what people in the neighborhood want. He said zonings reflect the characteristics of the neighborhood and this is a low-density area, and this [zoning request] would have a negative impact on infrastructure, property values and quality of life. Mr. Eye said it seems that the solution is R1A, which is already in the ordinance, and that [the way to] move forward is to adjust the lots to be bigger. He said he has not heard a reason why the ordinance should not be kept in place. Also, he said that it almost seems as though the ordinance was written for this situation, as [the lots] are all common ownership and all the same proximity. He said of the three choices in the city ordinance, it seems pretty clear that [R1A] best fits the situation.

Seth Hunter, 500 Walnut Street, addressed the Council individually regarding exhibits he provided. He said that the exhibits are electronic documents that contain certified copies of the plats, the abandonment of plats, and the Board of

Supervisor minutes indicating the plats were abandoned before the annexation occurred. Mr. Hunter said he wanted

Krista Eye, 123 J. Ed Turner, stated that she previously lived around the corner in a lower density, higher crime area. She said also that [the developers] would have to cut a lot of trees, and that [children] will not have as much of a play area [as they did previously].

There were no other citizens present who wished to address the Council.

Council Vice President Dryden closed the Citizens' Forum.

**2018-442**      Citizens' Forum Sign-In Sheet, 4-16-18.

Attachments:   4-16-18 Citizens' Forum Sign-In Sheet

**2018-444** Citizens' Forum - Gregory Koock's Letter to Mayor and City Council, 4-16-18.

Attachments: Letter from Gregory Koock, 4-16-18

Council President Carroll called for additional business.

There was no additional business.

By unanimous consent, Council President Carroll declared the meeting recessed at 5:20 p.m., this the 16<sup>th</sup> day of April, A.D., 2018.